

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2654-2023 (O&M)
Date of Decision: 31.07.2023

Tarun Chawla

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Makkar, Advocate, for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.569 dated 05.08.2022, under Sections 379-B, 392, 452, 506 and 201 IPC, registered at Police Station Rohtak City, District Rohtak.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody from 07.08.2022 which is more than 11 months. He submitted that the petitioner is having no criminal background and is not involved in any other case nor he was named in the FIR and it was only on the supplementary statement of the complainant that his name was nominated. He further submitted that in fact at the time of trial the complainant was examined and she did not support the prosecution version qua the present petitioner regarding which the statement of the complainant has also been attached as Annexure P-4 with CRM-26951-2023 and the complainant has been declared as hostile and therefore, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Naveen Kumar Sheoran, DAG, Haryana has submitted that the petitioner is in custody for 11 months and the complainant has not supported the prosecution version. He further submitted that the petitioner is having no criminal background and he was initially not named in the FIR.

4. I have heard the learned counsel for the parties.

5. The petitioner is in custody for 11 months and he is having no criminal background and he was not named in the FIR and thereafter he was nominated on the supplementary statement of the complainant but during the course of trial the complainant has not supported the prosecution version. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

31.07.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No