

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-4362-2023 (O&M)
Date of decision: 13.02.2023

MANISH MUNJAL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Partap Singh, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG Haryana.

AMAN CHAUDHARY. J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.975 dated 18.11.2022, under Sections 406, 420, 120-B IPC (Sections 384, 506 IPC added later on) registered at Police Station Karnal Civil Lines, District Karnal.

Learned counsel contends that petitioner, who is 31 years old having his own private work, has no concern with the Easy Visa Company and was falsely implicated in the case. It is his submission that even as per the FIR no amount was paid to anyone and it was a mere allegation of demand of Rs.10,50,000/-, however, the Visa that was applied by the complainant through Easy Visa Company was granted on 11.08.2022 for which Rs.30,000/- was paid by the complainant which stood refunded by co-accused Charanjit as per the affidavit dated 22.09.2022, Annexure P-2, who is the main accused and is still in custody. Co-accused namely Surinder Singh, who is similarly situated to the

petitioner has been granted interim anticipatory bail by this Court vide order dated 12.01.2023, Annexure P-4. He submits that as per the allegations at best only Section 506 IPC is attracted. Petitioner is in custody since 22.12.2022. He is not involved in any other case. Challan has been presented however, charges are yet to be framed and in all there are 11 prosecution witnesses.

Learned State counsel opposes on instructions from ASI Vikas Kumar the bail on the ground that petitioner was in conspiracy with other co-accused had arranged the meeting between the complainant and co-accused Charanjit Singh. She is however unable to controvert the submissions made by learned counsel for the petitioner regarding the stage of the trial and the petitioner not being involved in any other case.

Heard.

In view of the above and facts and circumstances of the case, in particular that petitioner is in custody since 22.12.2022; he is not involved in any other case; similarly situated co-accused has been granted interim anticipatory bail by this Court; challan has been presented however, charges are yet to be framed; in all there are 11 prosecution witnesses; the trial is likely to take a considerable time, his further detention behind bars would not serve any useful purpose, thus the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/ intimidate the prosecution witnesses.

- 3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- 4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- 5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- 6. The petitioner shall not in any manner misuse his liberty.
- 7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- 8. The petitioner shall deposit his passport, if any, with the Trial Court forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, this Court makes it clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

February 13, 2023
S.Sharma(syr)

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