

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14107-2022
DECIDED ON: 27.01.2023

IRFAN @ IRPHAN

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Peeush Gagneja, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.533, dated 25.11.2021, under Sections 201, 379, 411 and 420 of IPC, 1860 registered at Police Station Tosham, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the instant FIR after having been arrested in some other cases. He has categorically contended that no role has been attributed to the petitioner directly or indirectly in the commissioning of offence under Sections 201, 379, 411 and 420 of IPC registered at Police Station Tosham, District Bhiwani.

Learned State counsel has produced the custody certificate which is taken on record. According to the custody certificate, the petitioner is behind bars for the last 11 months and 24 days added with the fact that the petitioner is involved in two other such like cases i.e., one is at Bhiwani and

another is at Hisar (State of Haryana) and he is on bail in FIR No.430 dated 04.12.2021 under Sections 379 and 411 of IPC registered at Police Station Bawani Khera, Bhiwani and he is in custody in FIR No.1046 dated 21.11.2021 under Sections 379, 411, 420, 467, 468, 471 and 120-B of IPC registered at Police Station Sadar Hisar, Hisar, however, he submits that out of total 11 witnesses, two witnesses have been examined so far including the complainant.

Looking into the totality of facts and circumstances and also the fact that the petitioner is behind bars for the last 11 months and 24 days and neither any custodial interrogation of the petitioner is required nor any recovery is to be effected from him and the trial is likely to take some time, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

27.01.2023

Meenu

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