

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-30142-2022
Date of Decision: 31.05.2023****Amarjeet Singh****...Petitioner****V/S****State of Haryana****...Respondent****CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA****Present: Mr. Abhishek Chha, Advocate
for the petitioner.****Mr. Bhupender Singh, DAG, Haryana.************DEEPAK MANCHANDA J. Oral**

Instant petition has been filed under Section 439 Cr.P.C. seeking regular bail in the case bearing FIR No.20 dated 26.01.2022 (Annexure P-1) registered under Section 379-A and further added Section 411 of IPC at Police Station PKL Sector 20, District Panchkula.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR. He submits that the present FIR was registered against the petitioner on complaint made by the complainant- Jaswinder Kaur Gill. He further submits that no recovery has been effected from the present petitioner and he is in custody since 12.02.2022. He argued that challan was already presented on 08.04.2022 and nothing is to be recovered from the petitioner. He further argued that no useful purpose would be served by keeping the petitioner behind the bars as challan has already been presented and charges have been framed on 02.05.2022, out of total 14 prosecution witnesses, only 09 have been examined till date. He prays for grant of regular bail.

Learned State counsel submits that investigation has been completed and the challan stands presented against the petitioner and out of total 14

prosecution witnesses, only 9 have been examined but till today the complainant did not appear before the trial Court and has not been examined. He further submits that one more case is pending against the petitioner in which he has already been acquitted by the trial Court in case bearing FIR No.24 dated 01.02.2023 registered under Sections 379-A and further added Section 411 of IPC at Police Station PKL, Sector 20, District Panchkula.

Having heard learned counsel for the parties and gone through the case file, it is significant to note that one case is pending against the petitioner in which he has been acquitted and inspite of the fact that out of 14 prosecution witnesses, 9 have been examined and the material witness i.e., complainant has not been examined till date as submitted by the learned State counsel. Further investigation of the case has also been completed and challan stands presented and the charges have already been framed. Therefore, no useful purpose would be served by keeping the petitioner in further incarceration.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

31.05.2023
sapna

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

KUMARI SAPNA
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I attest to the accuracy and
integrity of this document
order/judgment