

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-31327-2023

Date of decision: 09.11.2023

Sahil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manoj Pundir, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.247 dated 21.04.2023 under Sections 406, 420, 467, 468, 471 of the IPC registered at Police Station Ambala City, District Ambala.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand for allegedly introducing the complainant to co-accused Amit and Karan on an assurance that they would be able to arrange a job of clerk at MES Jalandhar against payment of ₹4,50,000/- each. Learned counsel submits that even as per allegations levelled in the FIR, not even a single penny was ever paid to the petitioner. Learned counsel submits that in a magisterial trial the petitioner has now been in custody since 03.06.2023 and after the challan was presented, charges have not yet been framed. Learned counsel submits that in the circumstances, further incarceration of the petitioner would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from HC Darshan Bharti, has not been able to dispute the factual aspect of the role attributed to the petitioner. She, on further instructions, has apprised the Court that as many as 10 prosecution witnesses have been cited.

4. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, she on instructions has replied in the negative.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner as there is no likelihood of the trial concluding in the near future.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

09.11.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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