

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(233)

CRM-M-32435-2023

Date of Decision : July 13, 2023

Sunil alias Binder and another**.. Petitioners****Versus****State of Haryana****.. Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Nitin Meel, Advocate, for the petitioners.

Mr. Surender Singh, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioners in respect of FIR No.255 dated 21.03.2023 registered under Sections 195-A, 506 of the IPC, 1860 (Section 120-B IPC added later on) at Police Station Sadar Hisar, District Hisar.

2. Learned counsel for the petitioners argues that the petitioners were not named in the FIR but have only been roped in the present case on the basis of the disclosure statement of the co-accused.

3. Learned counsel for the petitioners submits that the investigation is already complete and the challan has been presented but the charges have not been framed, hence, as the trial is likely to take some time before it concludes, the petitioners may kindly be extended the benefit of regular bail.

4. Notice of motion.
5. Mr. Surender Singh, learned Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.
6. Learned State counsel submits that present is a case where the complainant was threatened hence, enlarging the petitioners on bail, can jeopardize the life and liberty of the complainant.
7. Learned counsel for the petitioners submits that undertaking may be recorded on behalf of the petitioners that in case they are granted the concession of regular bail, they will not interfere in the trial or influence the witnesses in any manner.
8. I have heard learned counsel for the parties and have gone through the record with their able assistance.
9. Keeping in view the facts and circumstances of the present case mentioned hereinbefore, as the investigation is already complete and the challan has already been presented coupled with the fact that as per the status of the trial, the trial is likely to take some time before it concludes, no useful purpose will be served in keeping the petitioners behind the bars during the entire period of trial.
10. As far as the apprehension of the State that in case the petitioners are released on bail, they will intimidate the complainant, learned counsel for the petitioners has already given an undertaking so as to counter the said apprehension.
11. Despite the said fact, henceforth, if any fact comes to the notice of the State with regard to the interference by the petitioners with the trial in any manner, State will be at liberty to file appropriate application raising the said grievance by stating cogent facts for the consideration of this Court so

as to pass appropriate orders.

12. Keeping in view the above and without commenting upon the merits of the case, it is directed that the petitioners be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

13. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

July 13, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No