

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

CRM-M-34750-2023

Date of decision : 04.09.2023

HARISH KUMAR

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Rajesh Bansal, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.0510, dated 19.09.2022 registered for the offences punishable under Sections 120-B, 406 and 420 of the Indian Penal Code, 1860 (Sections 467, 468, 471 IPC added later on) at Police Station Ambala City, District Ambala (Haryana).

2. Custody Certificate of the petitioner has been produced. The same is taken on record.

3. Counsel for the petitioner submits that even if the allegations are taken to be on their face value apart from the bald allegation that the petitioner was also one of the accused there is nothing that yokes the petitioner with the present offence. Investigation already stands completed and Challan stands presented. Thus, there can't be any apprehension that the petitioner shall tamper with the evidence. Counsel further submits that the petitioner is behind bars since 18.11.2022.

4. State Counsel is not in position to dispute the aforesaid factual assertions made by counsel for the petitioner based on record. However, he submits that an amount of Rs.20.00 lacs stands recovered from the petitioner.

5. Having heard counsel for the parties and after going through records of the case, without commenting on the merits of the case, keeping in view the allegations levelled in the FIR and the role assigned to the petitioner and in view of incarceration suffered by the petitioner coupled with the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

6. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

September 04, 2023

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No