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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35610-2023(O&M)

Date of Decision: 18.08.2023

Amrik Singh

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sandeep Verma, Advocate, for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.62 dated 24.02.2023, under Sections 34, 406, 420 IPC (Section 370 IPC added later on) and Section 24 of Immigration Act,1983, registered at Police Station Sadar Ambala, District Ambala, Haryana.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody from 22.06.2023 and the investigation of the case has been completed and thereafter challan has been presented before the competent Court. He submitted that the petitioner is not named in the FIR and the only allegation against the petitioner was that he was part of the agents who had sent the son of the complainant abroad and his name was nominated on the basis of a supplementary statement of a co-accused. He

further submitted that petitioner is not involved in any other case and has got clean antecedent and even otherwise also the investigation of the case has been completed and therefore, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Vishal Kashyap, DAG, Haryana has submitted that it is correct that the petitioner is in custody from 22.06.2023 and investigation of the case has been completed and thereafter challan has been presented. He also stated on instructions that the petitioner is not involved in any other case. He submitted that the allegations against the petitioner were that the passport and other documents were handed over to the petitioner by the complainant.

4. I have heard the learned counsel for the parties.

5. The petitioner has already faced incarceration from 22.06.2023 and he was not initially named in the FIR but it was only on the supplementary statement that he was nominated. The petitioner is stated to be not involved in any other case. The trial of the case may take long time and the investigation of the case has already been completed. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

18.08.2023

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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