

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

CRM-M-39883-2023

Date of Decision: 21.08.2023

Vishal Soni

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Davneet Sangwan, Advocate for
 Mr. Ashish Sindher, Advocate
 for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.312 dated 25.05.2022 registered under Sections 420, 467, 468, 471 of IPC at Police Station Civil Lines, Karnal.

Learned counsel for the petitioner contends that the petitioner has not been named in the FIR and there was no incriminating evidence against him. Learned counsel further contends that the name of the petitioner surfaced in the disclosure statement of one Amit, who has been now found to be innocent during the course of investigation. Learned counsel further contends that even the petitioner himself is a victim in the present case and has been falsely involved by the police in the collusion with the other accused. The petitioner was arrested in the present case on 26.03.2023 and is in custody since then.

Learned counsel further contends that challan has already been presented on

23.06.2023 and the charges are yet to be framed by the learned trial Court. He further contends that all the offences are triable by the Court of Magistrate and the trial Court may take a considerable time in concluding the trial.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that sufficient evidence has been collected against the present petitioner and he does not deserve the concession of bail.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner was arrested in the present case on 26.03.2023 and is in custody for the last about five months. All the offences are triable by the Court of Magistrate and the conclusion of the trial may take a long time.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

21.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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