

N.C. No.2023:PHHC:109505

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

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**CRM-M-39897-2023(O&M)
Date of decision: 22.08.2023**

Naveen

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Ms. Suman Sagar Sheoran, Advocate for the petitioner.

RAJBIR SEHRAWAT. J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.41 dated 23.02.2023 registered under Sections 379-B and 34 of IPC at Police Station Bhattu Kalan, District Fatehabad.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. To connect the name of the petitioner falsely, the police have fabricated an alleged recovery of Rs.11,000/- from the petitioner, which was his own hard earned money. Besides this, there is no material to connect the petitioner to the crime. The petitioner is in custody since 23.02.2023. The investigation of the case is already over. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. Mr. Karan Sharma, DAG Haryana accepts notice on behalf of respondent-State. He has filed the custody certificate of the petitioner, which is taken on record. Learned State Counsel, on instructions from the concerned police

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official, submits that the petitioner is directly involved in the case. The name of the petitioner is specifically mentioned in the FIR. The amount of Rs.11,000/- has been recovered from the petitioner. Since the petitioner is involved in a serious crime of sanching, therefore, the petitioner does not deserve the concession of bail pending trial. However, it is not disputed by learned State counsel that the petitioner is in custody since 23.02.2023 and that he is not required for any investigation purposes.

5. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

22.08.2023
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No