

2023:PHHC:051941

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 214

CRM-M-43536-2022
Date of Decision:-13.04.2023

JITENDER

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

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CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

-. -

Present:- Mr. Shailender Singh Gill, Advocate for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

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SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C for grant of regular bail to the petitioner in FIR No. 373 dated 05.08.2019 under Sections 420, 506 & 120-B of IPC (Section 406 IPC added later on) Police Station City Tohana, District Fatehabad (Annexure P-1).

Learned counsel for the petitioner contends that he has been falsely implicated in the present case. He contends that the petitioner had friendly relations with the accused and the allegations qua the huge loan has been paid to the petitioner by the complainant is without any cogent evidence alleging that the same was transacted against purchase of gold. The attention of the Court has been drawn to the fact that recovery of Rs.9600/- had been effected at the time of arrest of the petitioner during the course of investigation who is behind bar since 01.12.2021 and is in custody till date as has been stated at bar by the learned counsel for the petitioner.

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Learned State counsel submits that he has not received the custody certificate but is supported with the pervi report and did not controvert the fact that it was Rs.9600/- which was recovered during the course of investigation which is complete and nothing is to be recovered and the trial will take some time wherein the case is pending for prosecution evidence, the petitioner is directed to released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.04.2023
yogesh

(SANDEEP MOUDGIL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No