

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50535-2022 (O&M)

Date of Decision: 18.07.2023

Rishu @ Sonu

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vinay Bajaj, Advocate for
Mr. G.L. Bajaj, Advocate, for the petitioner.

Mr. Naveen Kumar Sheoran, 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.114 dated 03.05.2022, under Sections 384, 389 and 120-B IPC, registered at Police Station Civil Line, Rohtak.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody from 14.05.2022 which is more than 1 year and 2 months and 1 out of the 18 cited witnesses has already been examined. He submitted that in the present case the allegations were not against the petitioner initially and it was against the other two co-accused whereby the allegations were that the complainant has stated that his brother was being blackmailed by one lady and had extorted Rs. 80,000/- from him. He submitted that thereafter the name of the petitioner was nominated only by alleging that he was involved in the conspiracy and he was guiding the other two ladies. He submitted that there was no direct role was attributable to the petitioner and in view of the aforesaid

position once the investigation of the case has already been completed and now the trial is progressing which may take long time, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Naveen Kumar Sheoran, DAG, Haryana has submitted that so far as the custody of the petitioner is concerned, the same is correct and it is also correct that initially the name of the petitioner was not named in the FIR but thereafter his name was nominated on the basis of investigation that the petitioner was guiding and was a part of the conspiracy.

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

5. The petitioner has already faced incarceration for more than 1 year and 2 months. The investigation of the case has already been completed and even the charges have been framed and thereafter one witness has been examined. Considering the alleged role of the petitioner in the present case as stated by the learned counsel for the parties, this Court deems it fit and proper to grant regular bail to the petitioner.

6. 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.

7. 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.

18.07.2023

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No