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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49679-2023
Date of decision: 15.11.2023

NAVEEN KUMAR

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Naveen Daryal, 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 the grant of regular bail to the petitioner in FIR No.183 dated 01.04.2023, under Sections 120-B, 406, 420, 467, 468 and 471 of the IPC, registered at Police Station City Sonipat, District Sonipat, Haryana.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for about 3 months and 5 days and the investigation of the case has been completed by the police and thereafter, challan has also been present before the competent Court although charges have not been framed in the present case. He further submitted that the petitioner has clean antecedents and he is not involved in any other case and the allegation against the petitioner is that he is a bank employee and he opened the bank account of father of the complainant without verification and without biometric. He further submitted that the present is a case which is triable by Magistrate and the trial of the case

may take long time to conclude. He further submitted that all the allegations are subject matter of trial which can be proved only by way of evidence but since the present is a case which is triable by Magistrate, therefore considering the custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Vishal Kashyap, DAG, Haryana submitted that it is correct that the petitioner is in custody for about 3 months and 5 days and present is a case which is triable by Magistrate. He further submitted on instructions that the petitioner has clean antecedents and he is not involved in any other case.

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

5. The petitioner has already faced incarceration for about 3 months and 5 days and he is not a habitual offender and not involved in any other case. The present is a case which is triable by Magistrate and therefore, this Court is of the view that the petitioner deserves the concession of regular bail.

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds 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 the merits of the case and is meant for the purpose of deciding the present petition only.

15.11.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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