

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 21282 of 2024 (O&M)
Date of Decision: 06.05.2024

Rajesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rahul Sidher, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.1291, dated 09.12.2023, under Section 387 of IPC (Section 120-B of IPC added later on), registered at Police Station Sadar Hisar, District Hisar, wherein he was implicated with the allegations of having threatened the complainant-Kulwant Singh for black-mailing him so as to extract money.

[2] Learned State Counsel vehemently opposes the prayer made on behalf of the petitioner, while submitting that the SIM Card used in the incident was recovered from the petitioner, thereby establishing *prima facie* involvement of the petitioner in the FIR (supra).

[3] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[4] In the present case, investigation stands concluded with the filing of challan, followed by framing of charges; the petitioner is behind the bars since 23.12.2023, i.e. for the last more than four months and no useful purpose would be served by keeping him in custody especially in view of the fact that he is not involved in any other criminal case. Also, similarly placed co-accused, Mukesh has been granted the concession of regular bail by the trial Court vide order dated 28.03.2024 (Annexure P-3), whereas co-accused-Anil has been granted the concession of regular bail by this Court vide order dated 23.04.2024 (Annexure P-4). Considering the aforesaid facts, I do not deem it appropriate to extend the incarceration of the petitioner any further.

[5] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

[6] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

May 06, 2024
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(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>