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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-36132-2024
Date of decision:-13.12.2024

PALA RAM

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Ms. Vandana Rani, Advocate and
Mr. Tara Chand, Advocate, for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

Ms. Vandana Rani Advocate and Mr. Tara Chand Advocate have put in appearance on behalf of petitioner and filed Vakalatnama, with no objection from previous counsel, the same is taken on record.

2. Learned State counsel has filed custody certificate dated 12.12.2024, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

3. The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code, for grant of regular bail in the following case:-

FIR No.	Dated	Sections	Police Station
299	05.07.2023	384, 389, 34 IPC	Agroha, District Hisar

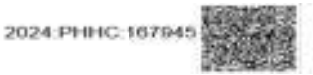
4. Arguments heard.



5. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner is in custody since 06.03.2024, challan has already been presented, after completion of investigation and it will take sufficient long time for conclusion of trial in the present case triable by the Court of Magistrate. He submits that even the complainant has turned hostile during course of trial. Hence he prays for grant of regular bail to the petitioner.

6. *On the other hand*, learned State counsel has assailed these arguments by submitting that the petitioner happens to be the kingpin of honey trap and extort money from innocent people. He however admitted that challan has already been presented in Court wherein prosecution has cited 17 witnesses.

7. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered at the instance of one Ramesh and one Sukhdev Singh levelling allegations of honey trap laid by the petitioner in connivance with the co-accused and had extorted money from them by blackmailing them. The petitioner was arrested on 06.03.2024 and after completion of investigation, challan has already been presented in Court. It is pointed out by learned counsel for the petitioner by referring to the statement of Ramesh as (Annexure P-7) to say that he had not lent any support to the case of the prosecution and has been declared hostile. Prosecution has cited 17 witnesses and the conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case triable by the Court of Magistrate will take sufficient long time.



8. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

13.12.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |