

CRM-M-39469-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39469-2024 (O&M)
Date of Decision: 17.09.2024

MAN SINGH

.. Petitioner

Vs.

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

...

SUMEET GOEL, J. (Oral)

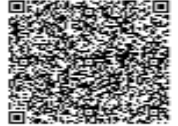
1. Affidavit of O.P. Narwal, IPS, Commissioner of Police, Faridabad has been filed by learned State counsel in the Court today and the same is taken on record. Copy thereof has been furnished to the learned counsel for the petitioner.

2. On 02.09.2024, the following order was passed by this Court:

“Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated into the FIR in question as there was a dispute pertaining to employment of the complainant/victim along with the petitioner. In this context, learned counsel for the petitioner has placed reliance upon the factum of a call having been made by the victim to the ERSS (Emergency Response Support System) of Haryana Police, the relevant whereof reads as under :-

“Message Content

*sir caller ko baar baar call ki ja rahi hai caller ka number out of coverage area aa rha hai
sir caller ne batlaya ki wo jis company me job krti hai us company k malik ne usko job se nikalne ki kah rha hai jo moke par koi jhgdha nhi lai caller apni compliant likhwane ps sec 58 m ja rahi hai sir jo es baare me he vishnu mobile number9991539549.20 suchit nya gaya hai”*

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Learned counsel for the petitioner has further submitted that above aspect is clearly decipherable from the challan presented by the police.

Per contra, learned State counsel has opposed the grant of bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. Further, learned State counsel (on instructions from Inspector Savita Rani) has submitted that an application was submitted before the concerned Judicial Magistrate, Faridabad for permission for further investigation whereupon an order dated 30.08.2024 was passed by the said Court. This order reads as under :-

“Today the case was fixed for consideration on the application filed by the IO. Heard.

2. Further investigation is the prerogative of the IO. The present case is at the stage of summoning of the accused. The present application is hence considered as an intimation to this court regarding the further investigation. It is disposed of accordingly. Now, case is adjourned to 12.09.2024, the date already fixed.

Supplementary challan is also awaited for the date fixed.”

The manner in which investigation has been being carried out by the police appears to be inexplicable. Reply to the instant petition be filed by way of affidavit of Commissioner of Police, Faridabad.

Adjourned to 17.09.2024.

In the meanwhile, the petitioner is ordered to be released on interim bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.*
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.*
- (iii) The petitioner shall not absent himself on any date before the trial.*
- (iv) The petitioner shall not commit any offence while on bail.*
- (v) The petitioner shall deposit his passport, if any, with the trial Court.*
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.*
- (vii) The petitioner shall not in any manner try to delay the trial.*

In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the



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State/complainant shall be at liberty to move cancellation of bail of the petitioner.”

- 3. Nothing has been brought forward to indicate that the concession of interim regular bail granted to the petitioner vide order dated 02.09.2024 has ever been misused by him.
- 4. In view thereof, the order dated 02.09.2024 granting interim regular bail to the petitioner is hereby confirmed, subject to the conditions enumerated therein.
- 5. Pending applications, if any, shall also stand disposed off.

17.09.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No