

2024:PHHC:130693



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-48321 of 2024
Date of Decision: 01.10.2024

Rakesh @ Nath Painter		...Petitioner
	Versus	
State of Haryana		... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Veeraj Sharma, Advocate, for the petitioner.
Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the BNSS, 2023 with a prayer to grant a regular bail in case FIR No.0047 dated 13.03.2024 registered under Sections 406 and 420 of IPC at Police Station Uchana, District Jind.
2. Learned counsel for the petitioner contends that the petitioner is a daily wager and has been wrongly involved in the present case by leveling false allegations against him. He further contends that no amount was ever deposited in the account of the petitioner and most of the money was transferred in the account of Rahul Dabhi, co-accused. He further contends that the petitioner was arrested in the present case on 13.06.2024 and is in custody for the

last more than 03 months and even all the offences are triable by the Court of Magistrate.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

5. I have heard learned counsel for the parties and perused the record.

6. The petitioner was arrested in the present case on 30.06.2024 and after completion of the investigation, the challan has already been presented before the Court of law. The prosecution has placed reliance on 19 witnesses, but no witness has been examined so far. Moreover, all the offences are triable by the Court of Magistrate and the petitioner is a first offender.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

01.10.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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