

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-46823-2019
Date of decision: 09.01.2024

Sucha SinghPetitioner.

Versus

State of Haryana and anotherRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Aman Pal, Advocate
for the petitioner.

Mr. Surinder Singh, AAG, Haryana.
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SANJIV BERRY, J.(ORAL)

1. The petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
67	13.06.2019	323, 452, 506 IPC (323, 406, 420, 506, 279, 336, 34 IPC added lateron)	13-17, District Panipat

2. Learned State counsel has filed custody certificate dated 08.01.2024, which is taken on record. A copy thereof has been supplied to counsel opposite.

3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and falsely implicated in this case alongwith his sons, namely, Manpreet Singh and Hardeep Singh, on the allegations levelled by the

complainant that they had taken Rs.10.50 lacs in connection with some business carried out in Philippines. He further contends that the petitioner had been granted interim bail vide order dated 07.11.2019 passed by this Court and since then he is on interim bail.

4. Learned counsel for the petitioner further contends that challan qua the petitioner as well as co-accused Manpreet Singh had already been presented in Court and the same is pending trial for 22.01.2024 in the Court of learned Judicial Magistrate 1st Class, Panipat, and as such, he prays for making the interim bail absolute.

5. *Per contra*, learned State counsel by referring to the reply dated 07.01.2023 filed by Additional Superintendent of Police, Panipat, has stated that as per the allegations, Rs.2 lacs are stated to have been deposited in the account of the petitioner, however, he has not disputed the aforesaid fact and admitted that challan after investigation has been presented in the Court qua the present petitioner as well as the accused Manpreet Singh, where it is pending trial.

6. After considering the rival contentions and perusing the record, it transpires that the petitioner in the present case is alleged to have received a sum of Rs. 2 lacs, out of total consideration of Rs. 10.50 lacs alleged to have been given by the complainant for the purpose of doing some business in Phillippines together. It is evident that the petitioner was granted concession of interim bail vide order dated 07.11.2019 passed by this Court. Thereafter, he has joined the investigation and the challan has been presented in the Court qua

him as well as co-accused Manpreet Singh, which is pending trial in the Court of learned Judicial Magistrate 1st Class, on 22.01.2024. The petitioner has never misused the concession of interim bail. The conclusion of trial will take long time.

7. Accordingly, in these circumstances and without commenting on the merits of the case, the present petition is allowed and interim bail granted vide order dated 07.11.2019 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

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

09.01.2024
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(SANJIV BERRY)
JUDGE

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