



CRM-M-21528-2024 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-21528-2024 (O&M)
Date of Decision: 24.01.2025

Tarikul @ Arman

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Raman Chawla, Advocate, for
Mr. Ajit Sihag, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

Mahabir Singh Sindhu, J.(Oral)

Present second petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for seeking bail pending trial in FIR No. 1191 dated 30.12.2021, registered under Sections 406 and 420 of Indian Penal Code, 1860 (for short, 'IPC') (Sections 467, 468, 471 and 140 IPC were added later on), at Police Station Sadar Hisar, District Hisar.

2. Allegations are that petitioner duped complainants to the tune of Rs.80 lakhs on the pretext of procuring job for them in Army.

3. Contends that petitioner was arrested in the present case on 13.07.2022 and after remaining in custody for about 02 years and 02 months, he was granted interim bail by this Court on 16.09.2024. Further contends that in pursuance of the aforesaid order, he is regularly appearing before learned trial Court and there has been no progress of trial.



CRM-M-21528-2024 (O&M) -2-

Lastly contends that there is no allegation that he is likely to misuse the concession and/or hamper the proceedings in case released on bail.

4. *Per contra*, learned State Counsel, on instructions from quarter concerned, has fairly acknowledged the above factual position and submits that petitioner is regularly appearing before learned trial Court. Also acknowledged that petitioner has not misused the concession of interim bail in any manner.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court granted interim bail to the petitioner on 16.09.2024 and order reads as under:-

“Status report filed by way of affidavit dated 11.09.2024 of Mr. Harinder Kumar, HPS, Deputy Superintendent of Police, Headquarter, Hisar, is taken on record. Copy thereof supplied to the other side.

Registry to do the needful.

Contends that petitioner is in custody since 14.07.2022; report under Section 173 Cr.P.C. was presented on 17.08.2023; charges were framed on 17.01.2024; and out of total 25 prosecution witnesses, only 04 have been examined, till date.

Learned State counsel seeks time to verify the status of trial.

Posted for 12.11.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession and/or hamper the proceedings in any manner. As the trial is likely to take sufficient long time; therefore in such a scenario, sending the petitioner to custody at this stage would not serve any purpose.



CRM-M-21528-2024 (O&M) -3-

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 16.09.2024, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Court concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

24.01.2025
D.Bansal

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No