

Satyawan Sharma versus State of Haryana

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In the Court of Virender Malik, Addl. Sessions Judge, Faridabad.
(UID No.HR 0101)

CIS BA 2045 of 2019

Bail application No. 192 of 2019

Date of Instt. 24.5.2019

Date of Decision: 30.5.2019

Satyawan Sharma aged about 45 years son of Dharamvir Sharma resident of village Kushak, Tehsil and District Palwal.

.....Petitioner

versus

State of Haryana

.....Respondent

Ist bail application under Section 439 Cr.P.C.

Present: Shri R.K.Gaur, counsel for the petitioner.
Shri S.K.Parmar, learned Public Prosecutor for State.

Order:

Vide this order, I shall dispose of above said bail application of regular bail under Section 439 Cr.P.C. in case FIR No.335 dated 2.5.2019 under Sections 170, 383, 419, 420, 506 IPC, PS Mujessar, Faridabad.

2. The present case has been got registered on the complaint of Kuldeep Saxena on the allegations that he is posted in the accounts section of M/s Salej Hammer Oils and Tools Limited Company. He further alleged that on 24.4.2019 at about 1.00 p.m. the petitioner came in his company and represented himself as JE of HUDA department and started threatening the employees of HR department of the company and demanded Rs. 10,000/-from them, otherwise he will register an FIR

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against them by giving them notice in a case and thereafter, he went away from there after taking Rs. 10,000/- from him. The complainant further alleged that later on he came to know that the petitioner is not working in the HUDA department on any post. He is a cheater and grabbed his amount of Rs.10,000/-. The complainant further alleged that other persons are also involved with him and when the petitioner came in his company, then this incident was recorded in the CCTV of the company. On the basis of above allegations, present FIR came into existence and the petitioner was arrested.

3. Notice of the bail application was given to the State. Status report filed.

4. It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated by the police in the present case. Further contended that the petitioner is in custody since 9.5.2019. Further contended that the petitioner is an innocent person and he has not committed the alleged offence. Further argued that nothing is to be recovered from the possession of the petitioner and his custodial interrogation is not required for any purpose. Further argued that trial of the case will take sufficient time to conclude and and no useful purpose would be served by detaining the petitioner further in custody and thus, he prayed for release of the petitioner on bail.

5. The bail application has been been opposed by Ld. Public Prosecutor. He contended that the petitioner had cheated the complainant by representing himself as JE of HUDA department and grabbed his

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amount of Rs. 10,000/-. Further contended that the offence being serious in nature and therefore, the petitioner does not deserve the concession of regular bail and his bail application be dismissed.

6. After hearing counsel for the parties, it is observed that FIR No. 335 dated 2.5.2019 was registered by the police against the petitioner on the complaint of Kuldeep Saxena. The petitioner is in custody since 9.5.2019. Offence is triable by Magistrate. Petitioner is no more required for custodial interrogation. Trial of the case will take sufficient time to conclude and no useful purpose would be served by detaining the petitioner further in custody. Hence, the present bail application is hereby allowed and the petitioner be ordered to be released on bail on furnishing the bail bonds in the sum of Rs. 1,00,000/- with one surety of the like amount to the satisfaction of Ld. Illaqa/Duty Magistrate, Faridabad.

7. Needless to mention that, nothing observed herein-above, would reflect, in any manner, on merits of the case during trial, as the same has been so recorded for a limited purpose of deciding the present application for regular bail only. Record of the present bail application be consigned to the records, after due compliance.

Announced.

(Virender Malik),
Addl. Sessions Judge,
Faridabad. 30.5.2019
(UID No.HR 0101)

Note: This order consists of three pages and all the pages have been signed by me.

(Virender Malik),
Addl. Sessions Judge,
Faridabad. 30.5.2019
(UID No.HR 0101)

(Harit Verma)

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Present: Shri R.K.Gaur, counsel for the petitioner.
Shri S.K.Parmar, learned Public Prosecutor for State.

Status report filed. Arguments heard. Order pronounced.

Vide my separate order of even date, the present bail application has been allowed. Record of the present bail application be consigned to the records, after due compliance.

Announced.

(Virender Malik),
Addl. Sessions Judge,
Faridabad. 30.5.2019
(UID No.HR 0101)

(Harit Verma)