

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRL. MISC. No.M-24008 OF 2015
DATE OF DECISION : 7th AUGUST, 2015

Navi Hassan Diwan @ Manjal

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Aayush Gupta, Advocate for the petitioner.

Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab.

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SURINDER GUPTA, J. (ORAL)

1. This petition has been filed by the petitioner seeking regular bail in case bearing FIR No.18 dated 04.02.2015 registered for offence punishable under Section 420 read with Section 34 IPC at Police Station Daba, District Ludhiana.

2. Heard.

3. Notice of motion.

4. On asking of the court, Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the case has already been received and record of the case is available with him.

5. The petitioner was arrested on 04.02.2015 on the complaint of Mohan Singh @ Kala, resident of Mohalla, Gagan Nagar, Ludhiana, leveling allegation that under a conspiracy the petitioner and other three persons induced him to give ₹6,00,000/- with allurements to make it double.

The said money was kept in an almirah for ten days and later disappeared from there. It is submitted by learned counsel for the petitioner that the other co-accused namely Ajit Kumar and Mehmood Alam @ Sunny, who were also named in the FIR and arrested on the same day, have already been allowed bail by this Court vide order dated 04.05.2015 passed in CRM-M-13558-2015 and order dated 28.05.2015 passed in CRM-M-16109-2015.

6. Learned State counsel has not disputed the above averments made by learned counsel for the petitioner.

7. The challan in this case has been presented. The conclusion of the trial will take considerably long time. The other co-accused with similar allegations have already been allowed bail by this Court.

8. In view of the above facts, but without expressing any opinion on merits of the case this petition is allowed. Petitioner-Navi Hassan Diwan @ Manjal is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the Trial Court/Duty Magistrate, Ludhiana, subject to following terms:-

(i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.

(ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the

petitioner shall have to apply for bail afresh before the trial Court.

(iii) He shall not leave the country without previous permission of the Court.

As the petitioner is resident of Bihar the Court will take heavy local surety.

7th August, 2015
'raj'

(SURINDER GUPTA)
JUDGE