

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

CRM -M-26028 of 2016 (O&M)

Date of decision: 04.10.2016

Prem Kumar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Virender Kumar.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 396 dated 12.08.2015, registered under Sections 420 and 406 IPC, at Police Station Kotwali, District Faridabad.

It is contended that the petitioner has been running a security agency at Noida. The complainant approached him for securing job and the same was denied. He has been falsely implicated in the instant case. The petitioner is in custody since 15.05.2016.

On the other hand, the learned State counsel opposes the prayer of bail and states that the sister of the complainant wanted to go to California. She happened to come in contact with the petitioner who projected that relations of the petitioner are implied in the Department of Custom. The petitioner offered to make available seized gold at a cheaper

rate to the complainant. On these projections, the complainant allegedly gave Rs.10 lacs to the petitioner. He states that the complainant did not come forward for deposition before the trial Court.

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

Considering the fact that the complainant did not come forward to depose against the petitioner, the Court feels that no purpose would be achieved by keeping the petitioner in further incarceration, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

04.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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