

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2495 of 2017

Date of Decision: 07.02.2017

Balwinder Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

Present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 294 dated 09.07.2016, registered for offences punishable under Sections 406, 420, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short 'IPC'), at Police Station Taraori, District Karnal.

Heard.

Case was registered on the complaint of Pawan Kumar son of Jado Ram regarding his cheating by petitioner on the pretext that he has been issued to gas agencies by Bharat Gas Petroleum. He got different amounts from the complainant from time to time out of which some payments were made in cash and some were through cheques/RTGS. Later on it was found that no gas agency had been issued in the name of petitioner and he had been showing fake e-mails.

Learned State counsel submits that it is a case where the petitioner has defrauded the complainant to the tune of ₹52 lacs. The money

deposited in the bank was also withdrawn by him.

After investigation of case, challan has already been presented in Court on 10.09.2016. The petitioner was arrested on 28.07.2016. The case is mostly based on documentary evidence.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Balwinder Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (c) He shall not leave the country without the previous permission of the Court.

February 07, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No