

CRM-M-26307-2017

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

CRM-M-26307-2017

Date of Decision: 12.10.2017

Devi Lal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.S.Sullar, Advocate for
Mr. Sumit Gupta, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Parminder Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Devi Lal has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.145 dated 15.02.2016, registered at Police Station Civil Lines, Karnal, District Karnal, under Sections 406 and 420 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel appeared on behalf of respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

From the record, I find that as per the allegations, the complainant got arranged the loan of old Mahindra XUV-500 from Tata

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Capital Financial Services Limited in the name of the present petitioner. Sandeep Kumar, partner of the petitioner, also came with him. The petitioner after having completed all the documents and also signing the agreement, availed a loan of ₹7,50,000/- and purchased XUV-500. The loan amount was withdrawn through cheque by Sandeep Kumar. They asked for 10 days for providing NOC, but they did not provide the same. Later on, vehicle was fraudulently transferred in the name of Gaurav Sangwan.

All the offences are triable by the Judicial Magistrate Ist Class. The petitioner was earlier declared proclaimed offender, but he has been in custody since 17.06.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

12.10.2017

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

(INDERJIT SINGH)
JUDGE

Yes

No