

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30900 of 2017
Date of Decision: 20.09.2017

Naresh Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sunil Panwar, Advocate
for Mr. Gopal Sharma, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.421 dated 27.09.2016 registered for offences punishable under Sections 406, 418, 419, 420 and 506 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Mohindergarh (Mahendergarh), District Mohindergarh (Mahendergarh)

Heard.

Notice of motion.

On asking of the court, Mr. Ashish Yadav, Addl. AG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned State counsel submits that the petitioner was arrested in this case on the complaint of Sunita Devi, who has stated in her complaint that the petitioner represented to her that she can get employment in his institute after getting a training and paying ₹1 lac. Complainant

completed her training and was then given a certificate of completion of training and employment by the petitioner at the monthly salary of ₹7500/-. The salary was credited in the account of complainant in Punjab National Bank Branch at Dadri. After two months, she was relieved by the petitioner with the plea that he will re-engage her after sometime. He also represented to complainant that he can get her loan of ₹20 lacs, which will have subsidy to the extent of 33% for which she will have to deposit ₹2 lacs with the petitioner. Complainant paid ₹2 lacs to petitioner but she has neither get the loan nor re-employment so far.

After completion of investigation challan has been presented against the petitioner and the case is now fixed for framing of charge against him. The petitioner was arrested in this case on 11.07.2017. The case is triable by the Court of Magistrate. No purpose will be served by keeping the petitioner in custody as conclusion of trial will take considerably long time. Without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Naresh Kumar 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.

September 20, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No