

212

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

CRM-M-480 of 2017 (O&M)

Date of decision: July 05, 2017

Nitesh Sharma

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

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

Ms. Tanushree Gupta, DAG Haryana.

Mr. Deepam Raghava, Advocate for
Mr. S.K. Aggarwal, Advocate
for respondent No.2-complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.494 dated 16.07.2016, under Sections 420, 408, 467, 468, 471 of the Indian Penal Code, 1860, registered at Police Station City Sirsa. The petitioner was arrested on 19.09.2016 and is in jail since then as under trial.

The case is triable by the Magistrate. Petitioner has thus, been in jail for about a period of one year. It is true as alleged by the prosecution that huge amount of ₹27 lakhs was defrauded. Out of 32 witnesses, only 1 witness has been examined as stated by learned State counsel. The detention of the petitioner as under trial would not be

justified any further since the trial will take its own time.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

July 05, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No