

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

**CRM No.M-742 of 2017
Decided on: 18.01.2017**

Imran @ Manu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Vishal Sharma, Advocate for the petitioner.

Mr. Charanjit Singh Bakshi, Addl.AG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.0107 dated 16.04.2015, for offence punishable under Sections 406 of the Indian Penal Code (in short 'IPC') registered with Police Station Sadar Jind, District Jind.

Counsel for the petitioner has submitted that the petitioner is in custody since 19.12.2016. On completion of investigation, challan has already been presented in the Court whereas conclusion of trial is likely to take some time.

Counsel for the State of Haryana has not disputed the factual assertions but opposed the bail application.

I have heard counsel for the parties, perused the paperbook and the records.

The allegations against the petitioner are that he purchased 13 buffaloes for a sale consideration of Rs.9,50,000/-, paid an amount of Rs.8,00,000/- and failed to pay the remaining amount of

Rs.1,50,000/-. It is a moot question if in the circumstances of the present case, provisions of Section 406 IPC would be attracted. The petitioner has already been remanded to judicial custody; challan has been presented and the case is pending for evidence of the prosecution.

Without commenting upon merits of the case, the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

Disposed of accordingly.

18.01.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No