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

Criminal No. M-15595 of 2018 (O&M)

Date of Decision: July 10, 2018

SUNDER SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Atul Lakhanpal, Senior Advocate with
Mr. Arjun Lakhanpal, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana

Mr. Gaurav Jain, Advocate for the complainant.

GURVINDER SINGH GILL, J.

Learned counsel has put in appearance on behalf of petitioner and filed power of attorney, which is taken on record.

The petitioner Sunder Singh seeks regular bail in case FIR No.645 dated 4.12.2017 registered for the offences punishable under Sections 406, 420, 506, 120-B of Indian Penal Code at Police Station City, Fatehabad, District Fatehabad.

The allegations, in nutshell, are that the petitioner alongwith Manoj and Vakil approached the complainant for purchase of paddy. Since, the complainant knew the petitioner previously, therefore, the petitioner entertained them. The petitioner after introducing Manoj and Vakil stated that they had taken "Son of Sardar Rice Mill" on contract and after enquiring about rates the petitioner went away while telling the complainant that if subsequently, he is unable to approach complainant, he will send Manoj and

Vakil, whom he had introduced to the complainant. It is the case of the prosecution that subsequently said Manoj and Vakil came to the factory and approached the complainant. After negotiating the price, 15 trucks-loads of paddy were given to them in various consignments. When the complainant demanded payment, the accused told him that payment would be sent through RTGS but no payment in respect of the sale of said paddy was made.

Notice of the said petition was issued to State.

The State counsel assisted by ASI Satish Kumar has informed that out of the total worth of entire paddy given to the complainant i.e. ₹63,66,894/-, an amount of ₹56,15,000/- has already been recovered from the accused, which includes ₹29,00,000/- from the present applicant.

It has been further informed by the learned State Counsel that the investigation is complete and the challan has already been presented. The petitioner has been behind bars since last about six months. No useful purpose would be served by further detaining him in judicial custody as conclusion of the trial is likely to take some time.

As such, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate concerned.

July 10, 2018

Sandeep

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*