

CRM-M-39394-2018

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

CRM-M-39394-2018

Date of Decision: 25.09.2018

Dharmender

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.K.Girdhwal, Advocate,
for the petitioner.

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

Mr. Vijay, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.553 dated 06.07.2017, registered at Police Station Jhajjar, District Jhajjar, under Sections 420 and 406 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of the respondent-State and complainant has 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.

CRM-M-39394-2018

From the record, I find that as per the allegations in the FIR, the present petitioner had taken ₹12 lakhs from the complainant for sending Canada to two persons and, thus, cheated the complainant.

It is also argued by learned State counsel that during investigation, two other persons also stated that the present petitioner had also taken ₹10 lakhs from them.

The offences are triable by the Judicial Magistrate Ist Class. The petitioner has been in custody since 17.01.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take a 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.

25.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No