

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-39395 of 2018 (O&M)

Date of Decision: November 15, 2018

Ujjaval @ Babu

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Suman Jain, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Mr. Jainainder Saini, Advocate
for the complainant

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 167 dated 19.03.2018 under Sections 406, 420, 467, 468, 471, 120-B IPC registered at Police Station Civil Lines, Hisar.

The allegations against the petitioner are that he and his father sold their Toyota vehicle to the complainant. However, the transfer of registration in favour of the complainant was delayed. Thereafter, possession of the vehicle was also taken. Ultimately, neither the registration was transferred in favour of the complainant nor the money was returned.

Learned counsel for the petitioner submits that the petitioner has been in custody since 06.08.2018. The investigation is complete but the trial is not likely to be concluded at an early date as examination of PWs has not yet started. There is no other criminal case pending against the petitioner and, thus, he may be released on regular bail. Further the allegations in the FIR appear to be far fetched as no prudent person would part with money without obtaining a document of title.

Learned State counsel opposes the prayer for bail by submitting that the

petitioner has further sold the vehicle by forging documents. However, the factual submissions made hereinabove have not been controverted.

Learned counsel for the complainant states that the petitioner and his father are habitually involved in such dealings. They dupe innocent persons, take money from them and thereafter take back the possession of the vehicle for selling it further. Such kind of persons do not deserve to be released on bail as they are threat to the Society.

On being questioned, learned counsel for the complainant is unable to say whether there are any other similar FIRs registered against the petitioner.

Learned State counsel, however, submits that there is no other criminal case pending against the petitioner.

Thus, I am of the opinion that the petitioner can be released on regular bail as the trial is not likely to be concluded at an early date.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

November 15, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No