

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

**CRM-M No. 44455 of 2018 (O & M)
Date of Decision:-14.12.2018**

Randhir Sandhu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Rajinder Singh Rana, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.83 dated 13.3.2018, under Sections 406, 420 and 506 IPC, registered at Police Station Nissing, District Karnal, during pendency of the trial.

The FIR was registered against the petitioner on the basis of statement given by complainant Nazar Singh, wherein it is alleged that he was desirous to settle in Canada alongwith his family for bright future prospect and had contacted Randhir Sandhu s/o Sardara Singh (petitioner) to facilitate his visit abroad. It is alleged that a sum of Rs.20,00,000/- were demanded and on different dates approximately total amount of

Rs.14,20,000/- was paid to the petitioner. However, the complainant was not sent to Canada and instead was taken to Malaysia. During investigation, petitioner agreed to settle the account and initially issued seven cheques for a sum of Rs.1,00,000/- each in order to return the amount obtained by him from the complainant. Initially when the complainant deposited two cheques, same were dishonoured and on these broad allegations, FIR has been registered against the petitioner for the offence of cheating etc.

Learned counsel for the petitioner has contended that the petitioner and complainant jointly were running a company and the complainant is having 40% share in the said company and for that reason he had given Rs.7,00,000/- to the petitioner towards his share. He further submits that the petitioner has been falsely implicated in the present case and he is in custody since 29.6.2018.

On the other hand, learned State counsel, assisted by Mr. Bhupender Singh, Advocate for the complainant opposed the bail on the ground that the offences are serious in nature. However, learned State counsel on instructions from S.I. Ashok Kumar apprised that challan in the case has been filed on 07.7.2018 and charges have also been framed on 06.9.2018.

Petitioner is in custody since 29.6.2018 and the case is triable by the Magistrate. The trial is likely to take some time and no useful purpose would be served in keeping the petitioner behind bars.

Considering the custodial period of the petitioner, status of the case, further detention of the petitioner is not justified. Without commenting

anything upon merits of the case and considering the custody and status of the trial, the petitioner, namely, Randhir Sandhu is admitted to regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the concerned trial Court.

The petition is allowed.

December 14, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No