

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45415 of 2018
Date of Decision: 23.10.2018

Ravinder Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.275 dated 10.05.2016 registered for offences punishable under Sections 420/467/468/471/506 of Indian Penal Code (for short, "IPC") at Police Station City Jagadhri, District Yamunanagar.

Heard.

As per allegation in the FIR, complainant had a talk with Malkeet Singh and Ravinder Kumar for his recruitment as Ticket Collector and recruitment of one Gulshan Kumar as Porter in Railway for which they demanded ₹10,50,000/- out of which ₹2,50,000/- were paid to them. Both were also taken for their medical check up and given fake joining letters. They were asked to go to a place far away from the city for training. The complainant felt suspicious and enquired about joining letters, which were found to be fake and forged. When Malkit Singh and Ravinder Kumar were asked to return their money, they issued a cheque of ₹3 lakhs, which was

drawn on bank account of petitioner-Gurdeep Singh.

The petitioner was arrested in this case on 18.05.2018. Learned State counsel submits that the petitioner is main accused as he was known to family of complainant. Though, co-accused, namely, Malkeet Singh, has been allowed regular bail vide order dated 03.08.2018 passed in CRM-M-26303-2018 but he was not directly known to the complainant.

Learned counsel for the petitioner submits that case of the petitioner is on parity with Malkeet Singh, who had issued the cheque of ₹3 lakhs in favour of complainant. Even otherwise, the police after completion of investigation has presented challan in Court and custodial interrogation of the petitioner is not required.

Keeping in view nature of offence and that no purpose will be served by keeping the petitioner in custody as conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Ravinder Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

October 23, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No