

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52842-2018

Date of Decision: 06.12.2018

Suresh Chand

.. Petitioner

Vs.

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Kunal Dawar, Advocate for the petitioner.

...

Inderjit Singh, J. (Oral)

Petitioner-Suresh Chand has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.1044 dated 17.11.2016, registered at Police Station City Ballabgarh, District Faridabad (Haryana), under Sections 406, 420, 506 and 120-B of the Indian Penal Code.

Learned counsel for the petitioner wants to give up respondent No.2 being unnecessary party.

Ordered accordingly.

Notice of motion to State of Haryana.

On the asking of the Court, Mr. Sharad Kumar Yadav, DAG, Haryana, accepts notice on behalf of respondent-State and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Perusal of the record shows that the FIR has been registered on the basis of complaint filed by the complainants before the Illaqa Magistrate

under Section 156(3) Cr.P.C., which was sent to the Police Station through post. The allegations are that accused persons have received full payment of the house, but they are not handing over the possession nor getting the registration done in the name of the complainants and they have usurp their money with malafide intention and are not refunding the same.

The petitioner has been in custody since 08.10.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take 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 ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

06.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No