

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

Sr. No.216

CRM-M-3310-2019

DECIDED ON: January 29, 2019

MAHESH MARIA

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Nitin Jain, Advocate, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 109 dated 11.07.2018 registered at Police Station Navi Baradari, District Jalandhar, under Sections 406, 420, 120-B IPC.

Learned counsel for the petitioner submits that a perusal of the FIR shows that the petitioner was allegedly the person who introduced the complainant to the main accused. Apart from that there is no other allegation against him. The dispute is pure money dispute and the complaint was made 02 years after the alleged transaction took place. The petitioner has been in custody since 15.11.2018 and the investigation is now complete as the challan was presented on 11.01.2019. However, the trial is not likely to be concluded at an early date. The petitioner does not have any criminal antecedents and thus, he may be granted regular bail.

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The prayer is opposed by the learned State counsel. It is submitted that the petitioner was also a conspirator and Rs.50 lacs were received in cash by him along with main accused. Thus, the petitioner does not deserve the concession of regular bail.

From the perusal of the FIR as well as from the arguments of the counsel for the parties, it is clear that the complainant invested some money on the asking of the main accused for setting up a cold storage. It seems that the deal could not fructify and thus, the present FIR has been lodged. Whether the petitioner is also involved in the transaction and whether any criminal intent is involved is a question to be decided by the trial Court on appreciation of evidence produced by the parties. At this stage, keeping in view the custody period of the petitioner as well as the fact that there is no other criminal case pending against him, no useful purpose would be served by keeping him in custody indefinitely. 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, at Jalandhar.

January 29, 2019

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No