

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

CRM-M-41412-2018
Date of decision: 19.03.2019

Ravi Kant Sahni

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Balkar Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. S. S. Nara, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 50 dated 28.03.2018, registered under Sections 406, 420 of the IPC (Sections 467, 468 and 471 of the IPC were added later on) at Police Station Sadhaura, District Yamuna Nagar.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the complainant has paid a huge amount of ₹70 Lakh to the accused for the selection of his cousins Karamveer and Dharamveer in some government office and for sending one Harpal Singh to abroad.

Learned counsel for the petitioner further submits that petitioner is in judicial custody since 19.05.2018 and the charges were framed on 24.08.2018 and the first date for recording the statement of prosecution witnesses was 05.10.2018. It is further submitted that out of

total 17 prosecution witnesses, only 08 have been examined so far and since it is a magisterial trial and the same has not been completed within a period of 60 days as per Section 437(6) Cr.P.C., the petitioner is entitled to bail.

Learned State counsel, on instructions from ASI Samay Singh, assisted by learned counsel for the complainant, could not dispute the factual position that the case is still at the stage of recording the statement of the prosecution witnesses and only 08 prosecution witnesses have been examined so far. It is also not disputed that the case was fixed for recording the statement of prosecution witnesses on 05.10.2018 and a period of 60 days has already lapsed.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the parties, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

19.03.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No