

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

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CRM-M-27517-2019 (O & M)
Date of Decision:05.07.2019

Vakeelrat @ Vakeela

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vinod Bhardwaj, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.227 dated 03.09.2018, under Sections 406 and 420 IPC, registered at Police Station Sadar Tohana, District Fatehabad.

As per the prosecution a joint business in the name of M/s B.K. Trading Company was started by complainant with the accused persons in the year 2012 and the investment made in the business brought good returns for a period of about 4 years. There were good relations between the complainant and accused without any differences. Later on it was found that a sum of ₹31,86,000/- was owed by the accused, besides, shares of some other amount were to be settled. It was narrated that in all a sum of ₹52,60,000/- was outstanding towards the accused persons.

Learned counsel for the petitioner submits that investigation is

complete and challan stands filed. He further states that the relations between the complainant and the accused were good and dispute only pertains to settlement of certain amount which is purely of civil nature. According to him, offences are triable by Magistrate and the petitioner is not required for investigation, who is confined in judicial custody.

On the other hand, learned State counsel assisted by SI Suresh Kumar has opposed the bail application. However, it is not disputed that the petitioner is in judicial custody and no more required for investigation.

Considering the above background and the fact that offences are triable by the Magistrate, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

05.07.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No