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

CRM-M-30936 of 2019

Date of decision: October 18, 2019

Dilip Nigam

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Nonish Kumar, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

Mr. Vivek Goyal, Advocate for the complainant.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.185 dated 03.06.2019, under Sections 406, 420, 506 of the Indian Penal Code, 1860, registered at Police Station Nissing, District Karnal.

As per prosecution case, petitioner cheated the complainant to the tune of ₹4 lakhs on account of sending him abroad on work permit.

Contentends that the petitioner is in custody since 10.06.2019 and after framing of charges on 06.09.2019, now the case is fixed before learned trial Court for today, i.e. 18.10.2019. Also contends that out of total seven prosecution witnesses, only two have been

examined.

The above factual position is duly acknowledged by learned State counsel, on instructions from SI Ashok Kumar.

Heard both sides and perused the paper-book.

Since the petitioner is in custody since 10.06.2019, the trial is going on smoothly and out of total seven prosecution witnesses, only two have been examined; thus, the trial will take sufficient long time. Therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

October 18, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No