

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

224

CRM-M-33422-2019 (O & M)
Date of Decision:26.08.2019

Manish Ahlawat

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, 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.39 dated 14.02.2019, under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Arya Nagar, Rohtak.

Learned counsel for the petitioner contends that the complainant is the uncle of the petitioner and has falsely implicated him. According to him, the dispute pertains to Petrol Pump namely Ranvir Filling Station which was admittedly managed by the father of the petitioner (elder brother of the complainant). It is pointed out that dispute pertains to the clearance of the loan amount obtained by the father of the petitioner for setting up the said Petrol Pump, wherein the father of the petitioner was guarantor. He submits that another case FIR No.348 dated 12.06.2018 under Sections 406, 420, 468, 471 and 120-B IPC, Police Station Rohtak was also registered by the complainant raising the same dispute. According to him, the investigation of the case has nearly been completed and further custody

of the petitioner is not required.

On the other hand, learned State counsel has opposed the bail application on the ground that the case is still under investigation. However, it is not disputed that the petitioner is in judicial custody. The case of the prosecution is founded on the material documentary evidence.

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

The petition is allowed.

26.08.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No