

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

**CRM-M No.34584 of 2019 (O&M)
Date of Decision: 13.09.2019**

Meenu Bhardwaj and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pankaj Bali, Advocate for the petitioners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana
for the respondent/State.

Mr. Parveen Kumar, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioners in case bearing FIR No.347 dated 03.10.2018 (P-1), under Sections 406, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Madhuban, District Karnal.

Contentends that there is no allegations in the FIR that petitioners have received any amount in question. Also contends that petitioners are in custody since 26.02.2019 and after investigation, challan was presented on 23.04.2019. Further contends that charges were framed wayback on 04.05.2019, but till date, out of total 16 prosecution witnesses, none has been examined. Also submitted that petitioners are not involved in any other criminal case.

Learned State Counsel as well as learned Counsel for the complainant are not able to point out that petitioners have been entrusted the amount in question. The custody of the petitioners as well as filing of challan and framing of charges are duly acknowledged by learned State Counsel, on instructions from ASI Shamsheer Singh.

Heard both sides and perused the paper-book.

There is no material to show that any amount was entrusted to the petitioners at any point of time or they were associated with the transaction in question. There is no other criminal case pending against the petitioners; they are in custody since 26.02.2019; investigation is already over; out of total 16 prosecution witnesses, none has been examined till date and as such, trial is likely to take long time for its conclusion. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioners be admitted to bail on their furnishing 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.

It is clarified that in case there is any recurrence on the part of the petitioners, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

September 13, 2019

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>