

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

CRM-M No.47298 of 2019 (O&M)

Date of Decision: 16.11.2019

Lucky Gandhi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sukesh K. Jindal, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case bearing FIR No.488 dated 17.06.2019, under Sections 406, 420, 120-B and 506 of the Indian Penal Code, 1860, registered at Police Station City Panipat.

Contentends that petitioner is in custody since 13.08.2019; after investigation, report under Section 173 Cr.P.C. has already been submitted on 10.10.2019 and even the charges have also been framed on 04.11.2019. Also contends that there is no other criminal case against the petitioner and trial is likely to take sufficient long time as out of total 09 prosecution witnesses, none has been examined till date.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Satish Kumar, but opposed the prayer on the premise that petitioner has induced the complainant for making double the amount of Rs.6,60,000/-, which the complainant invested in his own name as well as in the name of his wife-Ekta.

Heard both sides and perused the paper-book.

Concededly, petitioner is in custody since 13.08.2019; investigation is already over; charges have also been framed; no other criminal case is pending against him and case is triable by the Magistrate. Also to be noticed that out of total 09 prosecution witnesses, none has been examined till date, thus, trial is likely to take long time. In view of the above, further incarceration of the petitioner would not serve any purpose. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his 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.

November 16, 2019

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

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