

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

*CRM-M-52247 of 2019*

***Date of decision: 13.12.2019***

*Samay Singh*

*....Petitioner*

*Versus*

*State of Haryana*

*....Respondent*

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

Mr. Ashik Ali, Advocate for the complainant.

**HARINDER SINGH SIDHU, J.**

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.72 dated 28.05.2018, registered at Police Station Barara, District Ambala, under Sections 420, 406 and 506 of the Indian Penal Code. Notice of motion was issued.

As per the allegations, the petitioner along with co-accused Satish Kumar had cheated the complainant for Rs.36 lacs on the ground of getting allotment of Gas Agency.

Learned counsel for the petitioner contends that co-accused Satish Kumar has already been granted the concession of regular bail and that the petitioner is in custody since 09.10.2019. He states that the petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. The offences are triable by the Judicial Magistrate,

1st Class.

Learned State counsel as also counsel for the complainant have opposed the prayer.

Without commenting anything on the merits of the case and also bearing in mind the fact that the petitioner is in custody since 09.10.2019 and is not wanted in any other case, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Samay Singh is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioner indulges in any activity akin to one for which he has been convicted, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

This present petition stands accepted accordingly.

**December 13, 2019**  
**manoj**

**(Harinder Singh Sidhu)**  
**Judge**

**Whether speaking/reasoned: Yes/No**  
**Whether Reportable: Yes/No**