

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 203

CRM-M-11026-2020

Date of decision : 28.05.2020

Krishan Gopal

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Rahul Jaswal, Advocate, for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.42 dated 24.01.2020, registered under Sections 406/420 IPC at Police Station Samalkha, District Panipat (Haryana).

The allegations against the petitioner are that the petitioner demanded and received Rs.1.50 lakhs from the complainant for getting him appointed as a Ticket Checker (T.C.) in the Railways but after having received the money refused to honour his commitment. Thus the petitioner cheated the complainant.

Seeking regular bail for the petitioner Mr.Jaswal submitted that the petitioner is B.Sc. (Computer Science) and is running a coaching centre for imparting basic computer education in Samalkha, Panipat where the complainant wanted to be admitted and for that purpose made an initial deposit of Rs.15,000/- in the petitioner's account. Later, a dispute arose between the complainant and the petitioner resulting in the lodging of the present false case against him to pressurise the petitioner. It is further

submitted that there is no other criminal case in which the petitioner is involved; no recovery is to be effected from him; he has been in custody for the last about four months; challan under Section 173 Cr.P.C. has been filed and therefore the petitioner cannot influence the investigation and that the trial is likely to take a long time to conclude.

Learned State counsel opposed the prayer for grant of regular bail.

The petitioner is B.Sc. (Computer Science) and running a computer coaching centre; there is no other criminal case pending against him; no further recovery is to be effected from him; challan under Section 173 Cr.P.C. has already been filed and therefore he is in no position to influence the investigation; he is in custody for the last about four months and that the trial which is yet to commence is not likely to conclude in the near future.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail and it is so ordered. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Panipat the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

28.05.2020

shamsher

[DEEPAK SIBAL]

JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No