

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

CRM-M-15095-2020 (O&M)

Date of Decision:29.06.2020

Kamal Kishore

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Promila Nain, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks regular bail pending trial in case FIR No.392, dated 21.11.2019, under Sections 420/406/120-B/201 IPC, registered at Police Station DLF, Phase II, Gurugram.

Counsel for the parties have been heard.

Complainant in the present case is Mr. Saurabh Verma. Allegations are that the present petitioner being one of the Directors of the company, namely, M/s Sai Shivalik Land Promoters and Developers Private Limited has duped the complainant of a sum of Rs.30 lakhs for developing a real estate project by claiming to be the owner of 32 acres of land located at Noida.

Counsel for the petitioner has adverted to the MOU (Annexure P-3) entered into between M/s Sai Shivalik Land Promoters and Developers

Private Limited and the complainant's firm wherein it was clearly incorporated that the owner of the land is one Mr. Pritpal Mittal and from whom rights to develop/construct a township etc. were acquired. It is argued that the petitioner himself has been cheated by Mr. Pritpal Mittal and on account of which a complaint already stands lodged. Further argued that at no stage did M/s Sai Shivalik Land Promoters and Developers Private Limited of whom the petitioner is one of the Directors claimed to be owner of the land.

Petitioner was arrested on 10.02.2020.

Investigation in the present case has been completed and the challan has been presented on 07.04.2020.

Matter is fixed before the trial Court for framing of charges. Trial would take time to conclude.

It is essentially a case of documentary evidence which has already been collected.

In the considered view of this Court, no useful purpose would be served by keeping the petitioner in custody any further.

Without making any observations on merit, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Gurugram.

Disposed of.

29.06.2020

harjeet

i) Whether speaking/reasoned?

ii) Whether reportable?

(TEJINDER SINGH DHINDSA)

JUDGE

Yes/No

Yes/No