

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

**CRM-M-15998-2020 (O&M)
Date of decision: 21.8.2020**

Deepak Dabral

... Petitioner (s)

Versus

State of Haryana

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S.Dhull, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing in view of
COVID-19 Pandemic.

The present petition has been filed under Section 439 Code of
Criminal Procedure for grant of regular bail to the petitioner in case FIR
No.52 dated 23.4.2019 registered for the offences punishable under Sections
420, 467, 468 of Indian Penal Code (for short, "IPC") at Police Station
Naggal, District Ambala.

Notice of the bail application was issued to the State.

As per FIR, one Avtar Singh applied for the post of Conductor
in Haryana Roadways in 2017 and for that purpose, he appeared in the
exam. On 5.1.2019, he received calls from mobile phone No.89290-79978,
89290-79562 and 99170-47314 and he was informed that he has passed the

the selection list in which he was shown at serial No.16. The complainant also received another selection list in which he was shown at serial No.4. The informant also told the complainant that he will send his joining letter and medical and he demanded ₹ 1 lac immediately and ₹ 1.5 lacs to be paid after joining. Then the complainant deposited ₹ 1 lac in the bank account No.243910100029932 of Manoj Kumar, ₹ 1 lac in bank account No.4806101001687 of one Dr. Deepak Sarkar and ₹ 50,000/- in account No.4806101001707 of Ajay Kumar. The complainant also gave another ₹ 1.5 lakhs in cash to the person who brought the call letter. Thereafter, no joining letter or medical was received by the complainant. He tried to make contact on the aforesaid mobile phones but they were switched off. Then the matter was reported to the police and FIR was registered in this case regarding the aforesaid fraud of ₹ 4 lacs. Counsel for the petitioner has submitted that the petitioner was arrested in this case on 30.9.2019 and the challan has already been presented in the Court but the trial is not progressing due to Covid-19 situation. As such, it was pleaded that the petitioner be released on regular bail.

The bail application has been opposed by the learned State counsel who submitted that serious allegations are appearing on record against the petitioner who committed fraud worth ₹ 4 lakhs against the complainant.

I have considered the submissions made by the counsel for the petitioner and the learned State counsel.

The petitioner was not named in the FIR and he was nominated as accused on the basis of disclosure statement made by co-accused Govind.

has already presented the challan in the Court after the completion of investigation against the petitioner and co-accused Govind. However, the trial is not progressing due to prevalent Covid-19 situaiothn. The offences are triable by the Court of learned Judicial Magistrate, 1st Class and the complicity of the petitioner will be established only during the trial. In these circumstances, this Court is of the view that no fruitful purpose would be served by keeping the petitioner behind bars.

Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM/ Duty Magistrate, Ambala.

(KARAMJIT SINGH)
JUDGE

August 21, 2020

Paritosh Kumar

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