

CRM-M-37531-2020

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

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Date of decision:17.11.2020

Satpal

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Kumar, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case FIR No.218 dated 08.08.2020, registered at Police Station Ram Nagar, District Karnal, under Sections 370, 406, 420 and 506 IPC and Section 24 of the Immigration Act, 1983 and Sections 384 and 201 IPC (added subsequently).

Learned counsel for the petitioner contends that the money was either handed over to co-accused, Tejpal or his son-Mukesh. He further contends that in the first week of June, 2019, co-accused, Tejpal and Mukesh had allegedly taken Rs.15 lakh in cash from the complainant and on 19.09.2019, the complainant had also allegedly transferred a sum of Rs.10 lakh in the bank account of co-accused, Tejpal and also paid Rs.3 lakh in cash to him. The only allegation against the petitioner is that it was

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co-accused, Tejpal, who stated that he had been doing work with Satpal. He further contends that so far as other cases pending or registered against the petitioner are concerned, he has been enlarged on bail in the said cases and even in some cases, he has filed petitions for quashing of FIRs on the basis of compromise.

On the other hand, learned State counsel opposes the present petition and contends that the petitioner has been named in the FIR and he alongwith co-accused had duped the complainant to the tune of Rs.28 lakh. He also states that one of the accused, namely, Mukesh, has been declared innocent during the investigation.

I have heard the learned counsel for the parties.

There is no allegation against the petitioner that the money was ever handed over to him at any stage. Moreover, the petitioner has been enlarged on bail in all other cases pending or registered against him and even in some of the case, petitions for quashing of FIR on the basis of compromise have been filed. The petitioner has been in custody since 29.08.2020. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall

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decide the case without being influenced with these observations in any manner.

17.11.2020
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No