

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51117-2019 (O&M)
Date of decision: 30.01.2020

Rahul Sharma

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.142 dated 04.07.2018 under Sections 406, 420 IPC and Sections 120-B, 467, 468, 471 IPC (added later on), registered at Police Station Uklana, District Hisar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Ishwar, he was having good terms with one Dayanand and in second week of November, 2015, Rajender, Dayanand, Pooja wife of petitioner Rahul Sharma, petitioner Rahul Sharma and Santosh came to his house. At that time, complainant's nephews Ravinder and Surender were also present. During the discussions, the accused persons offered to send nephews of the complainant abroad for obtaining the job and in this process, total amount of Rs.19.00 lacs was paid to all the accused persons. It is further submitted that the petitioner is in custody since 06.03.2019; he is not involved in any other case and the investigation is complete.

Learned counsel for the petitioner further submits that as per the

FIR, total amount of Rs.5.00 lacs was received by the petitioner through bank transaction in his account and he is ready to deposit the said amount with the Illaqa Magistrate subject to final outcome of the case, without prejudice to his right of defence.

Learned State counsel, on instructions from SI Mal Singh, has not disputed the factual position and submits that the amount is liable to be recovered from the petitioner.

After hearing learned counsel for the parties, considering the fact that investigation is complete; the petitioner is in custody since 06.03.2019 and as undertaken on behalf of the petitioner that he is ready to deposit an amount of Rs.5.00 lacs with the Illaqa Magistrate, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will deposit an amount of Rs.5.00 lacs with the Illaqa Magistrate, which will be kept in an FDR subject to final outcome of the case, without prejudice to his right of defence.

Petition is disposed of.

The observations made in this order shall have no bearing on merits of the case.

[ARVIND SINGH SANGWAN]
JUDGE

30.01.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No