

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-2356-2021

Date of Decision: 01.03.2021

Mohd. Sarim Danish

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Arjun Sheoran, Advocate for the petitioner.

Mr. Minderjeet Yadav, DAG, Haryana.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

This is the second petition under Section 439 CrPC filed by the petitioner for grant of regular bail in FIR No.470 dated 05.11.2020 under Sections 420, 406 and 120-B of the Indian Penal Code, 1860 registered at Police Station City Ferozepur Jhirka, District Mewat.

Learned counsel for the petitioner would contend that the petitioner has been in custody since 06.11.2020. The challan already stands presented and charges have also been framed. Learned counsel for the petitioner would further contend that allegations in the present case are of an un-authorized loan of Rs.50,000/- for educational purpose which was taken in favour of the complainant by the petitioner. Learned counsel for the petitioner submits that though the said loan was cancelled after four days, however, still an amount of Rs.50,000/- was transferred by a bank transfer on 04.11.2020 in favour of the complainant in order to avoid any undue harassment and proceedings.

Status report has been filed by way of affidavit of Mr. Chander Pal, HPS, Deputy Superintendent of Police, Ferozepur Jhirka, which is taken on record.

Without commenting upon the merits of the case and keeping in view the fact that challan already stands presented, the charges have also been framed and the amount has since been transferred by way of a bank transfer on 04.11.2020, I deem this to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

(ALKA SARIN)
JUDGE

1st March, 2021
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO