

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

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CRM-M-5217-2021

Date of Decision: 08.11.2021

Parveen Gupta

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Rohit Mittal, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Mr. Manvinder Rathi, Advocate for complainant.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Parveen Gupta** for grant of regular bail in case FIR No.179 dated 22.04.2019 under Sections 406, 420, 467, 468 and 471 IPC (Sections 120-B and 201 IPC added later on) registered at Police Station Sushant Lok, District Gurugram.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that allegedly petitioner along with co-accused obtained a sum of Rs.91,25,000/- depicting themselves as owners of flats in Bajrang Co-operative Group Housing Society Limited, whereas later on share certificates pertaining of those flats were found to be forged

one. He further urges that as a matter of fact petitioner had received a sum of Rs.53 lakhs not on account of giving share certificates, but it was for the investment at the instance of complainant. He further urges that a sum of Rs.30 lakhs as well as jewellery has already been got recovered, as the same is evident from copies of recovery memos (Annexure P/7 and P/8). He further submits that co-accused Ritu has already been granted concession of bail by Sessions Court, vide order dated 08.05.2019 (Annexure P/3). He further submits that petitioner is languishing in custody since 22.04.2019 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and trial has commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel assisted by learned counsel for complainant while opposing instant petition have vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 22.04.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of

the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Parveen Gupta** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Gurugram, as the case may be.

(LALIT BATRA)
JUDGE

08.11.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No