

227

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

CRM-M-7542-2021

Date of Decision: 22.02.2021

Sachin Verma**.. Petitioner****Vs.****State of Haryana****..Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Vikram Singh, Advocate for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

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Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.434 dated 25.12.2019 registered under Sections 420 IPC, 1860 at Police Station Sadar, Narwana, District Jind. The petitioner is in custody since his arrest on 08.11.2020.

The FIR was registered on the complaint of complainant Krishan Kumar and the allegations noticed by Id. Addl. Sessions Judge, Fast Track, Sepcial Court, POCSO, Jind in the order dated 03.02.2021, while declining the bail application of petitioner, read as under:

“The prosecution case was registered on the complaint of complainant Krishan Kumar to the effect that on 13.04.2019, he met the applicant-accused and his parents at Delhi Airport, prior to it they used to talk telephonically. His parents assured that their son will provide service to him at Singapore and will not cheat him. The applicant-accused assured the complainant to provide service of Waiter at Singapore for two years and since 25.04.219 to 20.06.2019, the complainant paid Rs.6,00,000/- to the applicant-accused in cash as well as in bank account. Initially, applicant-accused used to get deposited the money from him in his bank account and later on, his friend Sanjeev @ Shganti told him on phone

that the applicant-acused is a person of fraud nature and he cannot provide any service to him but prior to it, said Sanjeev used to admire the applicant-accused before him and had also assured that teh applicant-accused will provide him service at Singapore. The applicant-accused and said Sanjeev used to lie at Singapore jointly and the applicant-accused grabbed about Rs.6,00,000/- from the complainant. As and when, the complainant asked to refund his amount, the applicant-accused postponed the matter and when he asked the father of the applicant-accused, namely, Roshan Lal to get refunded his amount, Roshan Lal threatened him. The complainant prayed that necessary action be taken against the accused.”

Learned counsel for the petitioner submits that the investigation of the case is complete and the challan has been filed on 27.11.2020, however, the trial is yet to commence. He further submits that the offence is triable by the Magistrate, therefore, the petitioner be released on bail during pendency of the trial.

On the other hand, learned State counsel assisted by ASI Prem Singh, has opposed the prayer on the ground that the petitioner had cheated the complainant on the pretext of providing him job at Singapore for two years and for that complainant had paid Rs.6,00,000/- to the petitioner. He, on instructions, states that the petitioner is involved in one more case of similar nature. He does not dispute the fact that the investigation of the case is complete and the challan has been presented.

After hearing learned counsel for the parties, this Court finds that the investigation of the case is complete and as the offence punishable under Section 420 IPC is triable by the Magistrate, therefore, keeping in view the fact that the trial of the case is likely to consume considerable time, further custody of the petitioner may not be necessary.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail

subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Jind.

The petition is allowed.

22.02.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No