

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7877-2020 (O&M)
Date of Decision:-23.7.2021

Deepak Kumar	Versus	... Petitioner
State of Haryana		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Atul Kaushik, Advocate for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana,
assisted by SI Jagdish Chand.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This is the second petition filed on behalf of the petitioner seeking grant of regular bail in respect of a case registered vide FIR No.41 dated 3.2.2020 at Police Station Narnaund, District Hansi under Sections 420, 451, 506 and 34 of Indian Penal Code, 1860.
2. The FIR was lodged at the instance of Karambir, wherein it is alleged that on 23.1.2020 he received a call from mobile No.95609-52703 and the caller told him that a “flat” had been allotted to the complainant at Gurugram for an amount of ₹3.90 lakhs and that the complainant was required to deposit the said amount. When the complainant told the caller that he is an illiterate person, the caller told him that they would collect the amount by visiting his village and that he should not inform anybody else. On 3.2.2020 two persons

came to the house of the complainant on a vehicle bearing registration No.UP-83-AM-7833. However, Since the complainant sensed that the said persons were fraudsters, he did not give any amount to them and upon which the said persons threatened the complainant with dire consequences.

3. Learned counsel for the petitioner has submitted that the petitioner has been behind bars since the last more than 1 year and 5 months and that since the co-accused, from whose mobile phone the call had been made, has already been enlarged on regular bail, the petitioner deserves the same concession on grounds of parity particularly when the complainant is not stated to have been deprived of any amount.
4. Opposing the petition, learned State counsel has submitted that keeping in view the serious nature of allegations, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last 1 year and 5 months and that while challan has been presented, the charges are yet to be framed. It has further been informed that the petitioner is not involved in any other case.
5. Having regard to the aforestated factual position, wherein challan already stands presented and the charges are yet to be framed and also the custody period of the petitioner, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.7.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**