

213.

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

CRM-M-10955-2021

Date of decision: 16.03.2021.

BRIJ LAL

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

II.

CRM-M-11016-2021

SANJAY ALIAS SANJU

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sanchit Punia, Advocate, for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana

HARI PAL VERMA, J. (Oral)

This order shall dispose of two petitions i.e. **CRM-M-10955-2021** titled as ***Brij Lal Versus State of Haryana*** and **CRM-M-11016-2021** titled as ***Sanjay alias Sanju Versus State of Haryana***.

Prayer in both these petitions filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner(s) in case FIR No.5 dated 06.01.2021 registered under Sections 147, 149, 323, 365, 452, 506 of IPC at Police Station HTM Hisar, District Hisar, during the pendency of trial.

Counsel for the petitioners submits that the petitioner-Brij Lal has filed a complaint under Section 138 of Negotiable Instruments Act against Shalender, who is none else but the husband of the complainant in the present case and it is for this reason, the present FIR has been registered.

No recovery has been effected from the petitioners. Petitioners are in

custody since 08.01.2021. It is on account of some financial dealings with the husband of the complainant, the petitioners have been dragged in the present case. The offences are otherwise triable by Magistrate. Trial in the case will take long time.

Learned State counsel has not disputed the custody of the petitioners.

At this stage, Mr. Deepak K. Sharma, has put in appearance on behalf of the complainant and has filed his *vakalatnama* (in CRM-M-10955-2021) which is taken on record. He has opposed the bail of the petitioners on the ground that the allegations against them are serious.

I have heard learned counsel for the parties.

Petitioners are in custody since 08.01.2021. The offences are triable by Magistrate. In the background of the case when the parties have already a dispute regarding money transaction for which the petitioner-Brij Lal has filed a complaint under Section 138 of the Negotiable Instruments Act, this Court deems it appropriate to admit the petitioners on bail.

Accordingly, the present petitions are allowed and the petitioners are admitted on regular bail subject to their furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

16.03.2021
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.