

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

(I) CRM-M-23763-2021 (O&M)

Ram Mehar ...Petitioner

Versus

State of UT Chandigarh ...Respondent

(II) CRM-M-30403-2021 (O&M)

Parveen Kumar ...Petitioner

Versus

State of UT Chandigarh ...Respondent

Date of Decision: 09.08.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Jarnail Saneta, Advocate, for the petitioner/s.

Mr. Prateek Gupta, APP, UT Chandigarh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose off the aforesaid two petitions i.e. CRM-M-23763-2021 filed on behalf of Ram Mehar and CRM-M-30403-2021 filed on behalf of Parveen Kumar, seeking grant of regular bail in respect of a case registered against them vide FIR No.15 dated 30.01.2021 at Police Station Sector-17, Chandigarh, under Sections 419/420/467/468/471/120-B IPC.
2. The FIR in question was lodged at the instance of Saurabh Wahee, wherein it is alleged that he is owner of M/s Harnam Tailor, SCO No.4-5, First Floor, Sector 17-B, Chandigarh. It is alleged that on

28.01.2021, when he was present in his shop, three persons visited his shop out of which one was wearing Police uniform and asked him to tag security badge and 3 star logo/cord and accordingly, they affixed 3 star and security badge on shoulder of the uniform. Thereafter, the said persons said that they want MOW (Ministry of Welfare) shoulder numbers, 50 Peak Caps and 50 buckles for Belts and also showed their identity cards. As per identity cards, one of them was the Chief Director, Ministry of Welfare, who disclosed his name as Ram Mehar, while another identified himself as Parveen Kumar, Field Inspector, Ministry of Welfare. It is alleged that Ram Mehar disclosed that they are offering government jobs and in case anybody wants to get appointed, he would be required to pay Rs.10 lakhs out of which he shall retain Rs.6 lakhs and pass on the remaining Rs.4 lakhs. It is, thus, alleged that while holding out such representation, the accused took an amount of Rs.1 lakh from the complainant.

3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that there is no convincing evidence to show that the complainant had indeed parted with any amount.
4. Opposing the petition, learned State counsel has submitted that since there are direct and unambiguous allegations in the FIR, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners have been behind bars since the last about 6 months and that petitioner Ram Mehar also stands convicted earlier in an identical case. It has been informed that

challan stands presented and charges have been framed. However, no witness is stated to have been examined so far.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and without commenting anything as regards the merits of the case or the veracity of the allegations and while also noticing that the petitioners have been behind bars for a substantial period of 6 months and that till date not even a single PW out of cited 19 PWs has been examined, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. The petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

09.08.2021
Vimal

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**