

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

CRM-M-26560-2021 (O&M)

Date of decision: 18.08.2021

Jitender @ Jitu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG Haryana.

Mr. Prashant Singh Chauhan, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-19736-2021

Application is allowed as prayer for.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case bearing FIR No. 105 dated 18.03.2020, registered under Sections 406, 420, 34 of IPC, (Sections 467, 468, 471 and 170 of IPC added later on), at Police Station Kasola, District Rewari.

Learned counsel for the petitioner states that the present FIR was registered on the statement of Mukesh and the petitioner has falsely been implicated in same. The main allegations are against Ashok, brother of the petitioner. There was no money transaction between the petitioner and the complainant and moreover, they were not known to each other. The prosecution has failed to prove the connection of the petitioner with the alleged crime. The challan stands presented. The petitioner has been in custody since 24.03.2021. Moreover, the complainant has failed to produce any proof of withdrawal of amount by him, which was alleged to have been paid to the petitioner at any stage.

Learned State counsel submits that there are 17 complainants in the present case and there are specific allegations against the petitioner.

Learned counsel for the complainant submits that a sale deed qua the plot purchased by the petitioner at Dadri, has been executed, out of the money extracted from the complainant(s). However, thereafter, by taking a somersault, he submits that there is only an agreement to sell instead of the registered sale deed, which has no value in the eyes of law.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 24.03.2021. Though the case is at the stage of evidence, yet the trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

18.08.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No