

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/09/27 15:15
I attest to the accuracy and
authenticity of this document

CRM-M-31934-2021

Date of decision : 24.9.2021

Nasib

..... Petitioner (s)

Versus

State of Haryana

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sandeep Saini, Advocate
for petitioner (s).

Mr. Gaurav Bansal, AAG Haryana.

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HARINDER SINGH SIDHU, J.

This is petition filed under Section 439 Cr.P.C. for grant of regular bail in FIR No. 231 dated 29.5.2021 registered under Section 420 IPC (Section 406 IPC added later on) at Police Station City Bhadurgarh, District Jhajjar.

FIR was lodged on the complaint of one Anand who stated that apart from running medical shop, he is also in the business of money transfer in the name of Bhardwaj Money Point. On 29.5.2021, a young boy came on a motorcycle. He asked him to transfer an amount of Rs. 89000/- into account of Pooja Chaudhary having account No. 181505001423 in ICICI Bank. The complainant transferred the amount. However, that boy without making the payment fled away from there.

It is the case of prosecution that petitioner has been identified by complainant in the test identification parade conducted on 15.6.2021. The motorcycle used in offence has also been recovered alongwith petitioner.

Learned counsel for petitioner has argued that petitioner has been falsely implicated in this case. The petitioner was not known to complainant. It is unbelievable that an experienced person who is in the business of money transfer would transfer huge amount of Rs. 89000/- into another account on the asking of a stranger without receiving the amount in advance. He states that the investigation in the case is complete and challan has been filed. Petitioner is in custody since 3.6.2021. The trial has not made any headway because of COVID 2019 pandemic.

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In view thereof, no useful purpose would be served by keeping the petitioner behind bars. Hence, petition is allowed. Petitioner Nasib is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. This shall however be subject to condition that if petitioner indulges in any activity of similar nature, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

24.9.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No