

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

116+234

CRM-M-38664-2021(O&M)

Date of Decision: 22.11.2021

Harjit Kumar

....Petitioner

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Deepanshu Mehta, Advocate for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

CRM-39454-2021

This application under Section 482 Cr.P.C. has been moved by applicant/petitioner for placing on record Final Report under Section 173 Cr.P.C. (*Challan*) (Annexure A-1).

Final Report under Section 173 Cr.P.C. (*Challan*) (Annexure A-1) is taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner- **Harjit Kumar** in case F.I.R. No.118 dated 25.05.2021 under Sections 406 and 420 IPC, registered at Police Station Tanda, District Hoshiarpur.

Learned counsel for petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further urges that allegedly complainant – Satinder Pal Singh was duped of Rs.10,27,000/- by the petitioner on the pretext of sending him abroad (Canada), whereas petitioner has no nexus whatsoever with the alleged offence. He further submits that petitioner is languishing in

custody since 14.07.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) (Annexure A-1) has already been presented in Court. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 14.07.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Harjit Kumar** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur, as the case may be.

(LALIT BATRA)
JUDGE

22.11.2021

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