

In virtual Court

CRM-M-33841-2020

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33841-2020 (O&M)
Date of decision: 06.01.2021

Subhash

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.726 dated 25.09.2019 under Sections 420, 406, 467, 468, 471 IPC and Sections 380, 120-B IPC (added later on), registered at Police Station Karnal Civil Lines, District Karnal.

Learned counsel for the petitioner submits that as per allegations in the FIR, primary allegations are that the petitioner has mortgaged his land with two banks and has committed the fraud of Rs.10.00 lacs. It is further submitted that the petitioner was arrested on 20.07.2020; he is not involved in any other

case; challan stands presented; offences are triable by the Court of Magistrate; charges are yet to be framed, therefore, it will take long time in conclusion of the trial. It is also submitted that even the complainant Bank has already filed a suit for recovery and interest of the bank is safeguarded, as the land is already under mortgage with the bank.

Learned counsel for the petitioner further submits that to show his bonafide, the petitioner is ready to deposit Rs.1.00 lac with the trial Court/Illaq Magistrate within a period of 30 days from today subject to final outcome of the case and without prejudice to his right of defence. It is further submitted that co-accused Jagdish, father of the petitioner, has already been granted the concession of regular bail vide order dated 29.09.2020 passed in CRM-M-24874-2020.

Learned State counsel could not dispute the factual position, however, has submitted that the petitioner, by forging the documents, has obtained the loan from the second bank, of his land, which was already mortgaged with another bank. It is not disputed that the petitioner is not involved in any other case.

After hearing learned counsel for the parties, without commenting upon merits of the case and considering the fact that the petitioner is not involved in any other case; the offences are triable by the Court of Magistrate; charges are yet to be framed and it will take some time in conclusion of the trial and the petitioner has volunteered to deposit Rs.1.00 lac with the trial

In virtual Court

CRM-M-33841-2020

-3-

Court/Illaq Magistrate, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

The petitioner will deposit Rs.1.00 lac with the trial Court/Illaq Magistrate on or before 07.02.2021, which will be kept in an FDR, without prejudice to his right of defence and subject to final outcome of the trial.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.01.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No