

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

CRM-M No.34598 of 2020

Date of Decision: 26.02.2021

Madan

...Petitioner

Versus

State of Haryana

....Respondent

CORAM :- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Tanushree Gupta, D.A.G., Haryana.

Manjari Nehru Kaul, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No.1298 dated 24.12.2019 (Annexure P-1) registered under Sections 406, 420, 506 of the Indian Penal Code, 1860 (subsequently added Sections 467, 468 and 471 of Indian Penal Code, 1860) at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner submits that the petitioner, who has been in custody since 14.06.2020 has been falsely implicated in the present FIR which finds credence from the unexplained delay of nine years in the registration of FIR from the date of alleged occurrence. It has been submitted that had there been any grain of truth in the allegations levelled that the petitioner had duped the complainant of Rs.28,25,000/- on the pretext of getting him a job, the complainant would not have waited so long to register the FIR in question. A prayer has been made for grant of bail as

all the offences alleged in the FIR are triable by Magistrate.

Per contra, learned State counsel while opposing the grant of regular bail to the petitioner on instructions from Sub Inspector Gurdial has submitted that the challan in the case was presented on 10.08.2020. However, the charges are yet to be framed. No other case has been pointed out against the petitioner.

Heard.

Keeping in view the fact that the petitioner has been in custody since 14.06.2020; there is no other case pending against him, due to the outbreak of the pandemic Covid-19, the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

February 26, 2021
gurpreet

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