

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

(Sr. No. 232)

**CRM-M No. 47240 of 2021
Date of decision : 21.12.2021**

Dinesh and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Narender Kaajla, Advocate for the petitioners.

Mr. Rahul Mohan, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No. 354 dated 18.08.2021 registered under Sections 323, 341, 342, 365, 379-B, 427, 506, 34 IPC at Police Station Civil Lines Hisar.

The petitioners are being prosecuted for having abducted the complainant's son and for damaging his car.

Learned counsel for the petitioners contends that the son of the complainant had defrauded the petitioners for an amount of Rs.27 lakhs on the pretext of getting them employed in a government job but when the needful was not done and the petitioners sought refund of their money they have been falsely implicated in the case; the son of the complainant is a habitual offender as he has two criminal cases pending against him in which the allegations of fraud and forgery are there; admittedly, no injury has been found on the complainant's son's person; the petitioners are in custody since 22.08.2021; there is no other criminal case in which the petitioners are

involved; no recovery is required to be made from the petitioners; investigation in the matter is complete and therefore the petitioners are not in a position to influence the same and that the petitioners' trial, which is yet to commence, will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioners on the ground that the petitioners have abducted the complainant's son and damaged his car.

Whether in the light of the afore submissions the petitioners have been falsely implicated in the case would be debated during the petitioners' trial. However, the petitioners are in custody since 22.08.2021; there is no other criminal case in which the petitioners are involved; no further recovery is required to be made from the petitioners; investigation in the matter is complete and therefore, the petitioners are not in a position to influence the same and that the petitioners' trial, which is yet to commence is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Hisar the petitioners are directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

21.12.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

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