

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

114 + 237

**CRM-39911-2021 in/and
CRM-M-47645-2021
Date of Decision: 24.11.2021**

Dharamender @ Baljeet

....Petitioner

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Kuldeep Singh Siwach, Advocate for the
petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-39911-2021

This application under Section 482 Cr.P.C. has been moved by applicant/petitioner for placing on record photocopies of medical records of wife of petitioner (Annexures A-1 to A-3).

Medical records of wife of petitioner (Annexures A-1 to A-3) are 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- **Dharamender @ Baljeet** in case F.I.R. No.47 dated 31.01.2020 under Sections 120-B, 406, 420, 467, 468, 471 and 506 IPC, registered at Police Station City Tohana, District Fatehabad.

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 petitioner along with co-accused duped the complainant to the tune of Rs.24,11,000/- on the pretext of

sending students abroad. He further submits that petitioner is not involved in any other case FIR except instant one. He further submits that petitioner is languishing in custody since 15.06.2021 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*) has already been presented in Court on 23.07.2021. He further urges that co-accused namely Meena Kumari has already been granted bail by this Court, vide order dated 01.10.2021 passed in CRM-M-34994-2021 (Annexure P-2). 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 15.06.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that co-accused namely Meena Kumari has already been granted bail by this Court, vide order dated 01.10.2021 passed in CRM-M-34994-2021 (Annexure P-2); 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- **Dharamender @ Baljeet** 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, Fatehabad, as the case may be.

(LALIT BATRA)
JUDGE

24.11.2021

d.gulati

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No