

105

CRM-M-44294-2020

Gurjant Singh vs. State of Haryana

105-A

CRM-M-40556-2020

Pardeep vs. State of Haryana

105-B

CRM-M-41457-2020

Baljeet Singh vs. State of Haryana

Present: None for the petitioner (in CRM-M-44294-2020).

Mr. Manju Goel, Advocate, for
Mr. Sumeet Goel, Advocate,
for the petitioner (in CRM-M-40556-2020).

Mr. Bipan Ghai, Senior Advocate, with
Mr. Deepanshu Mehta, Advocate,
for the petitioner (in CRM-M-41457-2020).

Mr. B.S. Virk, D.A.G., Haryana.

Mrs. R.K. Thind, Advocate, for the complainant.

Case heard via video conferencing.

These three petitions have been filed under the provisions of Section 439 of the Cr.P.C., whereby the three petitioners herein seek the concession of 'regular bail', upon FIR no. 205, dated 21.07.2020, having been registered at Police Station Sadar, District Kaithal, alleging therein the commission of offences punishable under Sections 406/420/506/120-B of the IPC (with Sections 370 and 384 of the IPC added later) and Section 24 of the Immigration Act, 1983.

CRM-M-40556-2020

As regards the petitioner in CRM-M-40556 of 2020, i.e. Pardeep, Mrs. Thind, learned counsel appearing for the complainant, submits that the matter has indeed been compromised with him, with him having paid the amount due from him to the complainant.

That being so, this petition is allowed (without making any comment on the actual merits thereof) and the order passed on 11.01.2021, directing the the petitioner to be admitted to interim bail, is made absolute.

CRM-M-41457-2020

As regards the petitioner in this petition, i.e. Baljeet Singh, Mr. Ghai, learned senior counsel appearing for him, reiterates that in fact the amount as is alleged to have been taken by the petitioner individually is Rs. 7,00,000/-, which the petitioner is willing to deposit in the trial court and thereupon he may be admitted to at least interim bail.

Mrs. Thind, learned counsel appearing for the complainant, however submits that as a matter of fact about Rs. 23-24 lacs are due from the petitioner and not Rs. 7,00,000/- as claimed, though learned State counsel, on query, also submits that as stated in the affidavit dated 08.02.2021, executed by Sh. Kulwant Singh, Deputy Superintendent of Police, Kaithal, the investigating agency has found that Rs. 7,00,000/- was retained by Baljit Singh.

Without making any comment on the correctness of those contentions, since even the investigating agency, at least at this stage is saying that it was only Rs. 7,00,000/- which was retained by Baljit Singh, therefore upon him depositing a demand draft in the trial court for the said amount, i.e. Rs. 7,00,000/-, in favour of the complainant, he shall be admitted to interim bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of that court, till the next date of hearing before this court.

Adjourned to 01.04.2021.

CRM-44294-2020

Though counsel for the petitioner in this case was present in the

pre-lunch session, the matter having been passed over as there were some problem in the connection of learned counsel for the complainant, he has not come present in the post-lunch session.

Hence, adjourned to 01.04.2021, with learned State counsel however submitting that even qua Gurjant Singh, Rs. 7,00,000/- was found to have been paid to him individually by the complainant.

Consequently, if the petitioner in this case, i.e. Gurjant Singh, deposits a demand draft amount of Rs. 7,00,000/- before the trial court in the name of the complainant, he too shall be admitted to interim bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of that court, till the next date of hearing before this court.

Naturally, the complainant would be at liberty to file an affidavit controverting the amount stated to be due from each individual accused, even contrary to what the investigating agency has stated, if it can be shown to be actually so by the complainant.

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After the aforesaid order has been passed, subsequently, Mr. Rajesh Tushar, Advocate, (counsel for the petitioner in CRM-M-44294-2020), has joined the video conference and submits that he could not appear due to some connectivity issue and further submits that the petitioner is not able to pay Rs. 7,00,000/- and therefore he would like to withdraw the present petition.

Dismissed as withdrawn.

February 10, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE