

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

205

**CRM-M-50256-2021(O & M)
Date of decision: 06.12.2021**

DESHRAJ

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Satyawar Singh Nain, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent-State.

SANT PARKASH, J. (ORAL)

CRM-40980-2021

For the reasons mentioned in the application, the same is allowed and the petitioner is exempted from filing the certified copy of all the Annexures and vernacular FIR and is granted permission to file scanned copy of the FIR.

CRM-M-50256-2021

Prayer in this petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No. 156 dated 22.04.2014 registered under Sections 419, 420, 467 and 468 of the Indian Penal Code, 1860 at Police Station Bilaspur, District Gurugram.

The above said FIR was registered on complaint made by Sunil Kumar Jain who alleged that he along with Balwant Singh and

other persons work together in buying and selling properties. The accused persons fraudulently induced them on the basis of forged documents and made them entered into sale deed for land and received Rs.36,00,000/- as cash and Rs.12,00,000/- by way of cheque as earnest money. On suspicion about ownership of the property in question, the complainant inquired and found that ID proof and land ownership documents were forged and they have been defrauded by the accused persons.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. The investigation in the matter is complete and custodial interrogation of the petitioner is not required. Challan has already been presented. Only 5 prosecution witnesses out of 19 have been examined. The petitioner is in custody since 06.08.2020. Co-accused have already been granted bail. Trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel opposed the submissions of learned Counsel for the petitioner and has submitted that the petition for grant of regular bail may be dismissed.

Having considered the facts and circumstances of the case, the period of custody of the petitioner, challan has already been

presented and only 5 prosecution witnesses out of 19 have been examined, custodial interrogation of the petitioner is not required and the fact that the trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19 but without expressing any opinion on the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

06.12.2021
kavneet singh

(SANT PARKASH)
JUDGE

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