

210

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

CRM-M-1209-2022

Date of Decision: 07.03.2022

Madan Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parveen Kumar Rohilla, Advocate,
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Ram Karan Agnihotri, Advocate,
for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking regular bail in FIR No.260, dated 17.07.2020, under Sections 346, 406, 420, 506, 120-B and 216 of the IPC, registered at Police Station Indri, District Karnal.

Learned counsel for the petitioner argues that in the present case, the allegations alleged against the petitioner and his co-accused in the FIR are that they have duped the complainant to the tune of Rs.50,00,000/- on the pretext of arranging a job for him in Railway Department. Learned counsel further submits that in the present case, not only the investigation is over but even the complainant has also been examined and now all the remaining witnesses are official witnesses, therefore, no useful purpose will be achieved in keeping the petitioner behind bars during the entire period of trial, especially in view of the fact that the trial is likely to take some time to

conclude due to the restrictive working of the Courts in view of Covid-19

pandemic.

Learned State counsel concedes the fact that the complainant and seven witnesses, out of the total eleven witnesses, have already been examined but submits that as the trial is about to conclude, therefore, prayer of the petitioner for grant of regular bail may kindly be declined.

Learned counsel for the complainant submits that the petitioner has duped the complainant to the tune of Rs.50,00,000/- on the pretext of arranging a job for him and as the petitioner is *prima facie* guilty, therefore his prayer for the grant of regular bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Petitioner is behind the bars, since 13.10.2020, which is approximately one and a half years and the complainant has already been examined and the allegations are yet to be proved during the trial and the trial is likely to take some time to conclude due to the restrictive working of the Courts in view of Covid-19 pandemic. It is also not a disputed fact that the remaining witnesses to be examined are all official witnesses, hence there is no apprehension of those witnesses being influenced at the hands of petitioner. Keeping in view the facts and circumstances of this case, no useful purpose will be achieved in keeping the petitioner behind bars during the entire period of trial, especially in view of the fact that learned counsel for the petitioner has undertaken before this Court that the petitioner will maintain good conduct and will not influence the trial or the witnesses in any manner, in case his prayer for the grant of regular bail is accepted.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail,

subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

07.03.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No