

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-1851-2022 (O&M)

Date of decision: 16.03.2022

Gurmeet Singh @ Punjab

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 862 dated 21.12.2019, registered under Sections 406, 420, 120-B, 467, 468, 471 of the IPC at Police Station Karnal Civil Lines, District Karnal.

Learned counsel for the petitioner submits that the FIR was registered on a complaint given by Mahindra & Mahindra Financial Services Ltd. with the allegations that a car was financed by the complainant-company with Rs. 4,71,000/- against 60 monthly installments and there was a hypothecation on the Registration Certificate of the car. Later on, after paying two installments, the balance payment was not made and the complainant-company has raised an arbitration dispute.

Learned counsel further submits that the petitioner was in fact a guarantor for the loan taken for the purchase of the said car and allegations

in the FIR are that later on the said car has been transferred in the name of the petitioner by preparing a fake NOC, which will be a matter of trial.

Learned counsel further submits that the said car has been recovered from co-accused Sonu and the petitioner, who is in judicial custody for the last more than 09 months, may be enlarged on regular bail as the offences are triable by the Court of a Magistrate and it will take a long time in conclusion of trial.

Learned State counsel, on the basis of the custody certificate, has not disputed the factual position and submitted that challan has been presented, however, charges are yet to be framed.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and circumstances of the case and also in view of the fact that offences are triable by the Court of a Magistrate and it will take some time in conclusion of trial, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

16.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No