

CRM-M-2085-2022 (O&M)

215

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

**CRM-M-2085-2022 (O&M).
Decided on: March 7, 2022.**

Bansi Lal

.. Petitioner

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sandeep Goyat, Advocate, for
for the petitioner.**

Mr.Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.479 dated 16.7.2020, under Sections 406 and 34 IPC (Sections 420 and 201 IPC added later on), registered at Police Station City Sadar, Hisar, District Hisar.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 7.9.2021 and thereafter, after completion of investigation, the challan has been presented under Section 173 Cr.P.C. before the competent Court. He submitted that it is a case where the allegations against the petitioner were pertaining to selling of some crops

CRM-M-2085-2022 (O&M)

through petitioner and that the petitioner had taken some amount which had not been returned. He submitted that earlier the complainant had also compromised the matter with the petitioner and the same has been reflected in the FIR itself and the present allegation was pertaining to some other persons except the complainant. He submitted that even otherwise also, the subject matter of the present FIR also pertains to a civil dispute, if any, and none of the persons have filed any civil suit for recovery against the petitioner or against any other person and in fact, the civil dispute has been given a criminal flavour. He submitted that even as per the allegations, villagers have given crop and money to the petitioner from the year 2018-2019-2020 and in case the petitioner had defaulted or defrauded somebody in the year 2018, then why any other villager would have given money or crop to the petitioner. He submitted that the petitioner is not involved in any other case and therefore, he may considered for the grant of bail since the matter pertains only to financial disputes.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody since 7.9.2021 and investigation of the case is already complete and challan has been presented before the Competent Court. He further submitted that it is also correct that the petitioner is not involved in any other case. However, he has opposed the grant of regular bail to the petitioner on the ground that the matter involved is serious in nature.

I have heard the learned counsel for the parties.

The petitioner is in custody since 7.9.2021 and after

completion of investigation, challan has been presented before the Competent Court. The trial of the case may take long time and considering the fact that the petitioner is not involved in any other case coupled with the fact that State has raised no objection on the ground that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

March 7, 2022.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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