

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

CRM-M-2341-2022 (O&M)
Date of Decision:-**16.08.2022**

SATYA PARKASH TYAGI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Rajiv Sharma, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

CRM-18757-2022

Allowed as prayed for subject to all just exceptions.

CRM-28774-2022

Allowed as prayed for subject to all just exceptions.

Main Case

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.1030 dated 12.10.2018 registered under Sections 419, 420, 467, 468, 471, 120-B, 201 IPC at Police Station Central District Faridabad.

The counsel for the petitioner submits that actually the opposite party committed fraud against the petitioner, who purchased land in question for a valuable consideration through a registered sale-deed. That when the petitioner came to know about the aforesaid fraud he lodged complaints with the police and other authorities and the copy of the complaint dated 16.7.2018 (Annexure P-7). The counsel for the petitioner further submits that to counter the same, the present FIR was lodged by the complainant against the petitioner and other persons wherein false allegations have been levelled. The counsel for the petitioner further submits that the petitioner is in custody for the last more than 8 months and that after completion of investigation police has presented the challan, but it will take time for the trial to conclude and as such prayer is made that the present petition be allowed.

The present petition is contested by the State counsel, who submits that there are serious allegations appearing on the record against the petitioner who is the beneficiary of the alleged sale transaction, however the fact that petitioner is in custody for the last more than 8 months has not been disputed by the State counsel.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

All the offences are triable by the Court Judicial Magistrate Ist Class. The petitioner is behind the bars for the last more than eight months and after completion of investigation the police has presented challan in the Court concerned and it will take considerable time for the trial to conclude. Co-accused namely Ashwani Nayar was granted regular bail by the Co-

ordinate Bench of this Court vide order dated 22.2.2021 (Annexure P-14). It will take considerable time for the trial to terminate. So no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

16.08.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No