

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

**CRM-M-2687 of 2022
Date of Decision:- 05.04.2022**

Akhalesh Kumar and another

....Petitioners

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. K.S. Virk, Advocate for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioners in case having FIR No.291 dated 06.08.2021 registered under Sections 406, 420, 467, 468, 471, 120-B IPC, Police Station Sadar Safidon, District Jind.

The counsel for the petitioners contended that as per the FIR, an amount of Rs.6,64,120/- was given to the owner of BSP Enterprises to handover the same to the transporters, however, the said payment was never made and in this manner, the FIR on the basis of cheating was registered in the present case.

The counsel further contended that the petitioners were not named in the FIR and are in custody since October, 2021. The counsel further contended that the alleged recoveries have already been effected and

investigation has been completed and also made prayer that the petitioners be released on bail.

The present petition is opposed by the State counsel who contended that the allegations appearing on record against the petitioners are serious in nature and prayed that the present bail application be dismissed.

All the offences are triable by the Court of Judicial Magistrate 1st Class. Petitioner No.1 was arrested on 18th October, 2021 and he got recovered one dongle (wifi) having IMEI No.911560005238838, 10 ATM cards, 11 SIM cards, two mobile phones and currency notes of Rs.1,49,000/- and currency notes of Rs.70,000/-. The petitioner No.2 Amit was arrested on 23rd October, 2021 and got recovered one mobile phone and currency notes worth Rs.55,000/-. Admittedly, the challan has been presented against the accused persons on the completion of investigation. The alleged recoveries have already been effected in this case. Co-accused Mohit and Digvijay Singh have already been granted regular bail in the present case. It will take time for completion of the trial, which is yet to be commenced. So, no purpose is going to be served by keeping the petitioners in custody for any longer period.

In view of the above without commenting on the merits of case, the present petition is allowed and both the petitioners are directed to be released on regular bail subject to their furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned during the pendency of the trial.

05.04.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No