

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6043-2022 (O&M)
Date of Decision: 17.02.2022
(Heard through VC)

SANJEEV KUMAR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Priyavrat Prashar, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.8 dated 02.06.2017 registered under Sections 406, 420 IPC at Police Station NRI Police Station, Mohali, Punjab.

Learned counsel for the petitioner would contend that the petitioner herein has falsely been implicated in the present case. In fact, the allegations that the petitioner herein had taken gold articles of the complainant, is falsified as he had bought the said gold articles from Muthoot Finance in an open public auction. It is submitted that the matter has already been investigated and challan stands presented, therefore the custody of the petitioner herein would no longer be required.

Per contra, learned State counsel opposes the grant of regular bail by contending that the petitioner and his wife Sunita Rani had insisted upon the wife of the complainant to hand over the gold articles, so that it could be kept at Muthoot Finance Bank and after depositing the gold articles in the Bank, both the accused took loan on the same and transferred the said loan amount in to their own accounts. It is further submitted that as on date, recovery has not been effected from the petitioner herein. It is also submitted that the petitioner herein absconded after bail had been allowed to him in the year 2017 and came to be re-arrested recently on 1st November, 2021. It is submitted that there is every likelihood that the petitioner herein would again abscond.

I have heard counsel for the parties and have also perused case file.

In view of the facts that the petitioner herein has been in custody since his re-arrest on 01.11.2021, and the matter having been investigated and challan presented, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond and *heavy* surety bond to the satisfaction of concerned Illaqa Magistrate/trial Court besides making a condition in the release order that he would present himself before the Police Station concerned every week.

However, anything observed or said by this court is only for the

purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

17.02.2022

(JAISHREE THAKUR)

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JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No