

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

CRM-M-14543-2022

Date of Decision:-18.04.2022

Arshad Khan.

.....**Petitioner.**

Versus

State of Haryana.

.....**Respondent.**

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Sarfraz Hussain, Advocate for the Petitioner.

Mr. Praveen Kumar Aggarwal, Deputy Advocate General
Haryana.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.60 dated 31.01.2020 under Sections 420, 406, 467, 468, 271, 506, 201 and 120-B IPC registered at Police Station Adarsh Nagar, Ballabhgarh, District Faridabad.

The prosecution case in brief is that the complainant-Rajender Singh alleged that he was cheated by the accused by taking Rs.20 lacs for selection in the Pondicherry Ranji Trophy team. Initially he had made a payment of Rs.6 lacs in cash and remaining amount was deposited in account of the younger brother of Arshad Khan. He alleges that it was a gang that run a cricket academy in order to cheat the persons. When the complainant demanded the above said amount, he was threatened with

death.

Learned Counsel for the petitioner submits that the allegations against the petitioner are baseless and absolutely no amount has been transferred to his bank accounts. He submits that some of the money was paid into the account of his co-accused Imran. He argues that petitioner himself was a victim as one Bijender had committed a fraud with the petitioner on the pretext that he would get the petitioner selected in the Pondicherry Ranji Trophy team and had taken money for the same but the petitioner was not made a part of the team. He contended that he was in custody since 16.06.2021 and the challan having been filed, he deserves the concession of regular bail.

The Counsel for the State on the other hand has pointed out that there are serious allegations against the petitioner and that Bijender the co-accused of the petitioner is still absconding and, therefore, the petitioner does not deserve the concession of bail.

I have heard counsel for both the sides at length.

Admittedly, a sum of Rs.11 lacs was paid into the account of Imran, co-accused. The petitioner is in custody since 16.06.2021 and the challan already stands filed. As many as 14 witnesses are to be examined during the course of trial and none have been examined so far.

Keeping in view the aforementioned facts the further incarceration of the petitioner is not required. As the trial is not likely to be concluded in the near future, the present petition is allowed and the petitioner **Arshad Khan** son of Gaffur is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, Faridabad.

If the petitioner indulges in similar offence for which he is

currently charged, the State would be at liberty to move an application for cancellation of bail.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 18, 2022
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>