

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

203/2

**CRM-M-20668 of 2021
Date of Decision:05.04.2022**

Gurjant Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

2)

CRM-M-41457 of 2020

Baljeet Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vivek K. Thakur, Advocate,
for the petitioner at sr. no.1.

Mr. Bipan Ghai, Sr. Advocate, with
Mr. P.S. Bindra, Advocate,
for the petitioner at sr. no.2.

Mr. Aman Bahri, Addl. A.G. Haryana

Mr. J.S. Thind, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Vide these petitions, the petitioners seek the concession of 'regular

bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.205, dated 21.07.2020, having been registered at Police Station Sadar, District Kaithal, alleging therein the commission of offences punishable under Sections 406, 420, 506, 120-B of the IPC (with Sections 370 and 384 of the IPC added later), and Section 24 of the Immigration Act, 1983.

The petitioner in CRM-M-41457 of 2020 having been admitted to interim bail vide an order passed on 10.02.2021, upon him assuring that he would deposit Rs.7,00,000/- by way of a demand draft before the trial court, learned counsel for the complainant also does not deny that the said amount has actually been released to the complainant.

However, he submits that as regards the remaining amount which the complainant paid the petitioner (about Rs.16-17 lacs), the complainant would avail of his remedy before the trial court as regards proof of payment etc.

As regards the petitioner in CRM-M-20668 of 2021, he was admitted to interim bail vide an order passed on 28.06.2021, on the ground that even in the FIR no money was shown to have been transferred to him, and though a petition earlier filed by him was withdrawn on the ground that he could not make a similar payment of Rs.7,00,000/-, he had yet been admitted to interim bail on the aforesaid date in view of the aforesaid fact which had not been noticed by this court while disposing of the previous petition, as also on account of a long period of custody.

Again in this case since the issue of whether or not the petitioner (Gurjant Singh) was paid any amount by the complainant would be a matter to be seen by the trial court on the basis of evidence led before it, both the petitions are allowed, with no comment actually made on the merits of the case, and with the

interim orders passed in favour of the petitioners made absolute on the same terms and conditions.

A copy of this order be also placed on the file of the other connected matter.

April 05, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No