

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

Sr. No.221

CRM-M-21381-2021

Date of decision : 28.2.2022

Manjit Singh

.....Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. VK Gupta, Advocate for the petitioner

Ms.Sheenu Sura, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.0037 dated 7.3.2020, registered under Section 406, 420 & 506 IPC at Police Station Nigdhu, District Karnal.

The petitioner is being prosecuted for having defrauded the complainants of an amount of Rs.36 lakhs on the pretext of sending their sons abroad.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; he has not been named in the FIR; the petitioner's name has surfaced only on the basis of a disclosure statement by a co-accused in police custody, which statement has no evidentiary value; he has no other criminal case pending against him; investigation in this case is complete; while on interim bail, the petitioner has not misused such concession and that since none of the prosecution

witnesses have been examined, the petitioner's trial will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has defrauded the complainants of an amount of Rs.36 lakhs and if he is released on bail, he may indulge in similar offences.

The petitioner is not named in the FIR; his name was surfaced only on the basis of an alleged disclosure statement of the co-accused in police custody; the petitioner has no other criminal case pending against him; investigation in this case is complete; while on interim bail, the petitioner did not misuse such concession and that in the petitioner's trial since none of the prosecution witnesses have been examined, the same is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Karnal the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

28.2.2022
gsv

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No