

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

112+255

**CRM-43389-2021 in/and
CRM-M-27998-2021.
Date of Decision: 20.01.2022.**

Dharamvir

....Applicant/Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. J.S. Thakur, Advocate for
Mr. Monty Goyal, Advocate for applicant/petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

CRM-43389-2021

Copy of order dated 22.11.2021 (Annexure P/3) is taken on
record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C for grant of regular
bail has been moved by petitioner-**Dharamvir** in case FIR No.74 dated
24.04.2021 under Sections 120-B, 420, 465, 467, 468 and 471 IPC,
registered at Police Station Dehlon, District Police Commissionerate
Ludhiana.

Learned counsel for the petitioner *inter alia* contends that
version, as alleged in the FIR, is totally concocted one and there is no iota of
truth therein. He further urges that no person from public or any company
had ever lodged any complaint against the petitioner. He further urges that
allegedly petitioner alongwith co-accused Jatinder Kumar used to purchase

K.K. Motors and thereafter, used to sell those vehicles and thereby cheated innocent purchasers, whereas petitioner has no nexus whatsoever with the alleged offence. He further urges that co-accused Jatinder Kumar has already been admitted to bail by this Court, vide order dated 22.11.2021 passed in CRM-M-28043-2021 (Annexure P/3). He further submits that petitioner is languishing in custody since 24.04.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*), has been presented in the Court and trial has commenced. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing the cause of petitioner has vehemently argued that in view of seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the record of the case.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 24.04.2021; that petitioner is no more required by the Investigating Agency for investigation purpose as final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Dharamvir** is allowed and he is ordered to be released on bail on his furnishing personal bond and surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

(LALIT BATRA)
JUDGE

20.01.2022
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No