

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29899-2022

Date of Decision: 20.7.2022

Rajender @ Leela

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. K.S.Dhaliwal, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

Mr. S.N.Pillania, Advocate,
for the complainant.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.50 dated 23.4.2021 registered for the offences punishable under Sections 420, 465, 467, 471 IPC at Police Station Alewa, District Jind.

Counsel for the petitioner submits that the petitioner has been falsely implicated in this case; that the petitioner was not named in the FIR and named as accused only in the supplementary statement of the complainant and was arrested by the police on 19.3.2022 and is presently lodged in judicial custody.

Counsel for the petitioner further contends that as per allegations in the FIR, the complainant sold her wheat crop weighing 400 quintals to the petitioner for consideration of ₹7,67,000/- but the petitioner

failed to make payment of the said amount. He further submits that after completion of investigation, challan has been presented and as such, there is no need to keep the petitioner in detention for any further period.

Present petition is opposed by the State counsel as well as counsel for the complainant, both of whom, submit that the petitioner defrauded the complainant of ₹ 7,67,000/- i.e. the cost of the wheat crop which was sold by the complainant to the petitioner. They further submit that there are specific allegations against the petitioner and the trial is yet to commence and that the one more case of similar nature is pending against the petitioner.

I have considered the submissions made by the counsel for the parties.

Initially, FIR was registered against one Satish Pandit who is stated to be the brother of the petitioner. The petitioner was nominated as accused on the basis of the supplementary statement of the complainant. Admittedly, the petitioner was arrested by the police on 19.3.2022 and is presently lodged in judicial custody. On completion of investigation, the challan has been presented and it will take considerable time for the trial to conclude. All the offences are triable by the Court of JMIC.

Counsel for the petitioner has clarified that petitioner has already been granted bail in another criminal case which is pending against him. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the

satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

July 20 , 2022
Paritosh Kumar

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