

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

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CRM-M-30588-2022
Date of Decision :05.09.2022

Pallav Kumar

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ajay Saini, Advocate for the petitioner.

Mr. Viranjeet Singh Mahal, A.P.P, U.T. Chandigarh.

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Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.116 dated 28.06.2021 registered under Sections 420 and 120-B of the IPC at Police Station Manimajra Chandigarh.

Learned counsel for the petitioner argues that in the present case, the only allegation against the petitioner is that he has received a sum of Rs.2,80,000/- out of the money which was extracted from the complainant. Learned counsel for the petitioner submits that the similar allegations were alleged against the co-accused namely, Vishesh Aggarwal and Birj Bhushan, who have already been granted the concession of regular bail after they have deposited the money alleged to have been received by them and prays that as the petitioner has also deposited the amount of

Rs.2,80,000/- in the saving account of the complainant, he be also granted the concession of regular bail.

Learned counsel for the respondents submits that co-accused namely, Vishesh Aggarwal and Birj Bhushan have been granted the concession of regular bail after they have deposited the amount allegedly received by them. Learned State counsel does not dispute the fact that the petitioner has also deposited the amount alleged to have been received by him in the transactions.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The petitioner has already deposited the amount alleged to have been received by him, in the saving account of the complainant coupled with the fact that the similarly situated co-accused have already been granted the concession of regular bail after depositing the amount with the complainant as well as the fact that the trial is likely to take some time before it is concluded.

Alongwith this, learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders hence, the petitioner has made out a case for the grant of concession of regular bail.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall

not be construed to be an expression of any opinion on the merits of the case.

September 05, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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