

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

CRM-M-31257 of 2022(O&M)

Date of Decision: 03.08.2022

Pankaj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Varinder Basa, Advocate
For the petitioner.**

Ms. Harpreet Kaur, AAG Haryana.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 713 dated 30.12.2021, registered under Sections 406, 409, 420, 467, 468, 471 read with Section 120-B IPC at Police Station City Kaithal, District Kaithal.

The counsel for the petitioner submits that the petitioner was not named in the FIR and was later on arraigned as an accused on the basis of disclosure made by co-accused Tej Singh and Resham Singh and was arrested on 03.01.2022. The counsel for the petitioner further contends that no recovery was effected from the petitioner who is alleged to bring customers before co-accused Tej Singh Manager Central Bank of India Branch Timber Market Kaithal and Resham Singh who was acting as agent of said Tej Singh. The counsel for the petitioner further contends that after the completion of investigation police has presented

the challan but charges are yet to be framed and thereafter it will take time for the trial to conclude and as such there is no necessity to keep the petitioner in custody for any longer period.

The present petition is contested by the State counsel who submits that aforesaid Tej Singh and Resham Singh defrauded large number of persons in connivance with the present petitioner. The State counsel on instructions from SI Shamsheer Singh has admitted the fact that during investigation no recovery was effected from the petitioner and that on completion of investigation the police has presented the challan.

I have considered the submissions made by learned counsel for the petitioner as well as learned State counsel.

All the three accused have been arrested by the police. There are allegations that co-accused Tej Singh was working as a Manager of the Bank and Resham Singh was working as his agent and they engaged the present petitioner to bring customers before them on the pretext of getting sanctioned bank loan in their favour, but the loan amount was used by all the three accused by defrauding the said customers.

Admittedly, the petitioner was arrested in this case on 03.01.2022 and no cash or any incriminating article was recovered from his possession during the investigation. Further, on conclusion of the investigation the police has presented the challan against the petitioner and other accused persons and charges are yet to be framed by the concerned Court of Judicial Magistrate Ist Class and thereafter it will

take time for the trial to complete. So no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, instant petition is allowed. The petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate concerned.

03.08.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**