

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

214

CRM-M-34063-2022

Date of Decision: 23.09.2022

Jitender Malik

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Pradeep Panwar, Advocate, for the petitioner.

Mr. Surinder Singh, AAG, Haryana,
assisted by Insp. Vijay.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.407 dated 07.10.2021 at Police Station Israna, District Panipat, under Sections 406/420 IPC (Sections 467/468/471 IPC added later on).
2. The FIR in question was lodged pursuant to a joint complaint moved by Narender, Rashid, Vinit and Santosh Devi, wherein it has been alleged that Jitender Malik (petitioner) and Vikram had duped them on the pretext of providing employment to them and in this manner had extracted an amount of Rs.4.57 lakhs from the said complainants.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that the falsity of the case would be evident from the fact that when two of the complainants, namely, Narender and Rashid stepped into the witness-box, they partly twisted the version inasmuch they gave clean chit to the co-accused Vikram Sharma, whereas in the FIR the role of Jitender Malik and

Vikram is stated to be identical. It has been submitted that the petitioner otherwise has been behind bars since the last about 9 months.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and is specifically alleged to have defrauded the complainants, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 9 months and otherwise is not involved in any other case. It has also been informed that as on date only 4 PWs out of the cited 11 PWs have been examined.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards merits of the case, but while noticing that the petitioner has been behind bars since the last about 9 months and that conclusion of trial is likely to consume time inasmuch 4 PWs out of the cited 11 PWs have been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.09.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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