

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

CRM-M-38841-2021 (O&M)

Date of decision: 09.05.2022

Sushil Tyagi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Yashveer Kharb, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 769 dated 20.09.2019, registered under Sections 406, 420, 506 and 120-B of the IPC at Police Station Panipat City, Panipat.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Kashmiri Lal against five persons, it is stated that in the name of one Jan Chetna Scheme, the accused persons have duped a number of persons by giving them membership of Rs. 11,000/- per member for a period of 21 months with an assurance that at the time of maturity, the company will return them Rs. 12,500/-.

Learned counsel for the petitioner further submits that all the co-accused of the petitioners, who are similarly situated, have already been granted the concession of regular bail.

Learned counsel further submits that the petitioner is in judicial custody for the last 01 year, 02 months and 12 days and till date, even charges have not been framed, though the offences are triable by the Court of a Magistrate.

Learned State counsel, on the basis of the custody certificate as well as affidavit of the DSP concerned, has submitted that allegations against the petitioner are that he has cheated the general public of crores of rupees and he was one of the Directors of the said company/scheme, which has collected the money from the people and has duped them, however, it is not disputed that two of the co-accused, namely Neelam and Savita, have been granted the concession of regular bail by the Additional Sessions Judge, Panipat.

Learned State counsel has further submitted that the petitioner is involved in some other cases of similar nature, however, it is not disputed that the trial is delayed as the charges are yet to be framed.

After hearing learned counsel for the parties, without commenting upon the merits of the case, considering the long custody of the petitioner; offences are triable by the Court of a Magistrate and also in view of the fact that conclusion of trial is likely to take some time as even charges have not been framed so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

09.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*