

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CRM-M-40519-2022

Date of decision : 09.09.2022

Satish Kumar

... Petitioner

Versus

State of Haryana

... Respondent

***CORAM: HON'BLE MR.JUSTICE VIKAS BAHL***

Present: Mr.Vikram Jeet Singh, Advocate  
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

Mr.Sandeep Singh Ghangas, Advocate  
for the complainant.

**VIKAS BAHL, J.(ORAL)**

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.160 dated 04.03.2021 registered under Section 406 IPC at Police Station Sadar, District Hisar.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 23.06.2022 and the investigation is complete and the challan has already been presented and there are 62 witnesses, out of which, none have been examined and thus, the trial is likely to take time and the petitioner is not involved in any other case. It is submitted that the present dispute has civil trappings and there is no written document in favour of the complainant so as to show any money is due towards the complainant. It is further submitted that the petitioner is a heart patient and medical records regarding the same have been annexed as

Annexures P-1 to P-3. It is stated that the petitioner intends to settle all the accounts with the aggrieved persons and it was only on account of Covid pandemic, that the petitioner suffered losses and could not finally settle the dispute.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that there are 51 victims, who supplied paddy crop to the petitioner and they have not received the payment regarding the same.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioner has been in custody since 23.06.2022 and the investigation is complete and the challan has already been presented and there are 62 witnesses, out of which, none have been examined and thus, the trial is likely to take time and the petitioner is stated to be not involved in any other case. The case is triable by Magistrate. The petitioner is stated to be a heart patient. It is the argument of learned counsel for the petitioner that although there is no written document executed in favour of the aggrieved persons but the petitioner would make every endeavour to settle the accounts with the victims/complainant party.

Keeping in view the above said facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

However, it is made clear that in case, any act is done by the petitioner to threaten or influence the complainant or any of the witnesses,

then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)  
JUDGE

September 09, 2022  
*Davinder Kumar*

|                             |        |
|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |