

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

CRM-M-47041-2021 (O&M)

Date of decision: 04.02.2022

Lalit Kumar @ Lovely

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.167 dated 16.06.2021, registered at Police Station Sector 13-17, Panipat, under Sections 420, 467, 468, 471 and 120-B IPC.

Status report by way of affidavit dated 15.12.2021 of the Deputy Superintendent of Police, City Panipat, Panipat, already filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner was not a beneficiary of the alleged amount of sale; that the petitioner is in the business of purchase and sale of old vehicle and is only a commission agent; that in the present case he is only a witness to the sale letter, vide which Vinay

Kumar in connivance with Varun Kumar had sold the car to the complainant for a sum of Rs.10,10,000/-. The petitioner has been in custody since 16.07.2021. Challan stands presented. There is no other registered or pending criminal case against the petitioner.

Learned counsel for the petitioner also draws the attention of this Court towards the aforesaid reply dated 15.12.2021, wherein it is stated that an amount of Rs. 9,10,000/- is to be recovered from Varun Kumar.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner along with other co-accused had actively participated in the crime and they used to sell the vehicles by using fake documents i.e. Aadhar Card, Ration Card, Registration Certificate etc. However, he does not dispute the custody period of the petitioner and that the petitioner is not involved in other criminal case. He submits that prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.07.2021. The allegation against the petitioner is that he along with other co-accused has cheated the complainant by selling him car by using fake documents for Rs. 10,10,000/-, but as per the aforesaid status report, amount of Rs. 9,10,000/- is to be recovered from co-accused Varun Kumar. The petitioner is not involved in any other criminal case. The prosecution witnesses are yet to be examined. The conclusion of the trial would taken a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

04.02.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No