

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47171 of 2022

Date of Decision: 30th November, 2022

Rajendra Kumar @ Rajender Kumar

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.
Mr. Arun Luthra, DAG, Punjab.
Mr. G. S. Virk, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

This is a third petition seeking regular bail in FIR No. 38 dated 13.1.2022, under Sections 406, 420, 506 and 120-B IPC, registered at Police Station Sohana, District SAS Nagar.

The earlier petition was withdrawn with liberty to file fresh one with better particulars. Second petition was also withdrawn.

The brief facts are that on a complaint made by Ashok Kumar, FIR was registered. He narrated that petitioner-Rajendra Kumar @ Rajender Kumar is the property dealer, earlier there were money transactions between the complainant and the petitioner and money was returned with profit. It is alleged that the complainant gave Rs.50,00,000/- for purchasing a property, neither the property was purchased nor the amount was refunded.

Learned counsel for the petitioner submits that the petitioner is in custody since 2.2.2022, investigation is complete and challan stands

presented. He further submits that the dispute was with regard to the commercial transaction.

Learned counsel for the State on instructions from Head Constable-Manpreet Singh opposes the prayer for grant of bail. He submits that the petitioner is involved in seven more FIRs.

Though the complainant is not impleaded as party, Mr. G. S. Virk, Advocate puts in appearance on behalf of the complainant and opposes the prayer for grant of bail. He submits that money of the complainant was not refunded.

Without commenting on the merits of the case, considering the nature of allegations, though the investigation is complete conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

30th November, 2022
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No