

CRM-M-810-2022

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

CRM-M-810-2022

Date of decision:07.02.2022

Vijender Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mahir Sood, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Varun Sharma, Advocate,
for the complainant.

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.17 dated 01.02.2021, registered at Police Station Dasuya, District Hoshiarpur, under Sections 420, 506 and 120-B IPC.

Affidavit of the Deputy Superintendent of Police, Sub Division Dasuya, District Hoshiarpur, filed in the Registry, is taken on record.

The allegations against the petitioner are that the petitioner in connivance with the co-accused had duped the complainant of Rs.16 lakh on the pretext of getting him a loan from Srinidhi Finance Solution.

Learned counsel for the petitioner contends that out of Rs.16 lakh, the petitioner has already paid Rs.3 lakh to the complainant; that Rs.9.50 lakh has been given to the Investigating Agency for handing over

CRM-M-810-2022

the same to the complainant, and that the petitioner is ready to hand over the remaining amount of Rs.3.50 lakh to the complainant by way of a demand draft, within one week from today. On this premise, the learned counsel prays for the grant of bail to the petitioner.

On the other hand, learned State counsel opposes the prayer made by the learned counsel for the petitioner. However, he does not dispute the fact that the petitioner had got effected the recovery of Rs.9.50 lakh and the investigating agency has no objection, if the aforesaid amount of Rs.9,50,000/- is ordered to be released to the complainant by the trial Court.

Learned counsel for the complainant submits that the complainant is ready to accept the amount of Rs.3.50 lakh, to be paid by the petitioner by way of a demand draft.

I have heard the learned counsel for the parties.

As noticed above, out of the amount of Rs.16 lakh, the petitioner has already paid an amount of Rs.3 lakh to the complainant; another amount of Rs.9.50 lakh has been got recovered by the police and the petitioner is ready to pay the remaining amount of Rs.3.50 lakh to the complainant by way of a demand draft, within one week from today. The petitioner has been in custody since 07.12.2021. Trial of the case would take time to conclude. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail, subject to him

CRM-M-810-2022

furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate, and further subject to him making the payment of Rs.3.50 lakh to the complainant by way of a demand draft, within one week from today.

It is made clear that in case, the amount of Rs.3.50 lakh is not paid by the petitioner within one week, as directed above, the bail granted to the petitioner shall stand cancelled.

07.02.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No