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

CRM-M-51472-2022

Date of Decision: 06.12.2022

Naresh Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jay Prakash Jangu, Advocate for the petitioner.

Mr. Naveen S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.1 dated 03.09.2022, under Sections 420, 467, 468 & 34 IPC, registered at Police Station Cyber Crime Hansi, District Hisar.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 03.09.2022 and the police has already completed the investigation of the case and challan has also been presented before the competent Court and the present is a case which is triable by the Magistrate. He further submitted that even as per the allegations, the petitioner had taken a loan for an amount of Rs.7 lacs from the bank against which he had deposited a slip pertaining to some gold which was deposited with IIFL. but as per the allegation, the slip was a forged slip. He also submitted that it is a matter of trial which can be proved at the time of adducing evidence that whether the slip was forged or not and the police has

already completed the investigation and no recovery is to be effected from the petitioner and therefore, he may be considered for the grant of regular bail.

On the other hand, Mr. Naveen S. Panwar, learned DAG, Haryana has stated that it is correct that the petitioner is in custody since 03.09.2022 and the present case is triable by the Magistrate. He further submitted that it is also correct that the investigation of the case has already been completed and challan has also been presented before the competent Court and the petitioner is not involved in any other case.

I have heard the learned counsel for the parties.

In view of the aforesaid facts and circumstances wherein the police has already completed the investigation and the subject matter of the case was only Rs.7 lacs and it is yet to be ascertained at the time of trial that whether the slip was genuine or not. Therefore, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

06.12.2022

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |