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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.53264 of 2022 (O&M)

Date of decision: 15.12.2022

Lalit Verma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashok Kumar Sharma (Bhana), Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.371 dated 15.10.2018, for offence punishable under Sections 120-B, 34, 406, 420 and 506 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Civil Lines Jind, District Jind.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of Ram Niwas, it is stated that Devender Gulia (since deceased), the petitioner Lalit Verma, were Directors of Correct Steps Marketing Private Limited and Naseeb Dhull and Dharampal were also employee of the said firm. It is stated that on different occasions, the complainant invested money and handed over the amount with an assurance that they will return 4% of interest on the principal amount, however, neither the amount is given nor any interest is paid back.

Counsel for the petitioner has further submitted that the investigation is complete and out of 15 PWs, only 02 PWs have been examined so far and the offences are triable by the Court of Magistrate and the petitioner is in custody for the last 01 year, 03 months and 11 days. It is also submitted that during the investigation, the challan was presented only against the petitioner as two other co-accused namely Dharampal and Naseeb Dhull, were found innocent.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year 03 months and 11 days; the custodial interrogation of the petitioner is not required; offences are triable by the Court of Magistrate; out of 15 PWs only 02 PWs have been examined so far and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

15.12.2022

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No