

213 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-503-2023 (O&M)
Date of Decision: 13.01.2023

SUNIL@ SONI

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Saurabh Dalal, Advocate, for the petitioner.
Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in the case bearing FIR No. 24 dated 01.02.2022 under Sections 406/420/467/468/471/506/120-B read with Section 34 IPC registered at Police Station Moohana, District Sonipat.

Custody certificate has been placed on record.

Briefly, the FIR has been registered on the allegations that the petitioner alongwith the co-accused Joginder and Sahil had received a sum of Rs.23,50,000/- from the petitioner for the purpose of providing employment to his son, son-in-law and relative.

Learned counsel for the petitioner contends that there was monetary dispute between the petitioner and co-accused on one side with with the complainant. Joginder, co-accused, has been granted interim bail by the Coordinate Bench of this Court in terms of the order dated 12.09.2022 passed in CRM-M-41560-2022 subject to the of deposit of some amount. The petitioner is in custody for a period of four months and six days. Though, he is involved in two other cases under Section 138 of Negotiable Instruments Act, but the same pertain to the dispute with the complainant. The complainant had instituted the complaints on the basis of

cheques alleged to have been issued by the petitioner on account of dispute pertaining to the monetary transactions. The investigation of the case is complete and challan has been already been presented.

The learned State counsel has opposed the bail application on the score that there are serious allegations with regard to extracting huge amount of Rs.23,50,000/- from the complainant on the pretext of providing employment to his relatives.

The petitioner is in custody for period of four months and six days. The complainant has also instituted complaints under Section 138 of Negotiable Instruments Act on account of dishonour of the cheque with regard to the amount allegedly due payable to him by the petitioner. The controversy as to whether the petitioner has received any amount from the complainant on the false pretext of providing job and prepared the fake documents will be a subject matter of adjudication during the course of trial. The custodial interrogation of the petitioner is over and he is in judicial custody. The investigation of the case is complete and challan has been presented. The offences are triable by the Court of learned Judicial Magistrate and conclusion of trial is likely to take some time.

In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

13.01.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No