

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 1925-2023 (O&M)
Date of Decision: 09.03.2023

Narinder Sharma

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Santokhwinder Singh Grewal, Advocate and
Ms. Prabhnoor Kaur Bains, Advocate
for the petitioner.

Mr. Bhupender Garg, DAG, Haryana.

Mr. Gaurav Sethi, Advocate
for the complainant.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439
Cr.P.C. in case FIR No. 469 dated 20.09.2022, under Sections 120-B, 406,
420, 506 IPC registered at Police Station Mahesh Nagar, District Ambala.

Learned counsel for the petitioner contends that the petitioner
is in custody since 27.09.2022. He submits that the petitioner has been

falsely implicated in the present case as regular payments were transferred to the account of the complainant qua purchase of fuel and a MOU was also executed between them, in pursuance to the same all such payments were duly made. The allegation qua the petitioner is that he cheated the complainant Ajay Anand for a sum of Rs. 2.27 Crores by buying fuel/diesel from his petrol pump and gave threatening to kill him. It is argued that the present case is not maintainable as the case is of civil nature. He further submits that the investigation is complete and challan stands presented on 19.11.2022 and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Additional reply dated 06.03.2023 by way of affidavit of Anil Kumar, HPS, Deputy Superintendent of Police, Ambala Cantt, District Ambala has been filed by the respondent-State, which is taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and the petitioner is alleged to have been the owner of 86 vehicles out of which only 05 vehicles from different office have been recovered till date, however, he does not dispute the fact that the challan stands presented and there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 27.09.2022.

It is not a case made out by the respondent-State that in case

concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the investigation is complete and the challan stands presented and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

09.03.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No