

2023:PHHC:078634

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.20121 of 2023
Date of Decision: 30.05.2023

Dinesh Sorkhi

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Argued by:- Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana
for the respondent-State.

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant petition, the petitioner has made the **2nd** attempt to seek the relief of regular bail in the criminal case registered vide the FIR bearing No.0009 dated 08.01.2022 at Police Station Manesar, District Gurugram, under Sections 120-B, 419, 420, 465, 467, 468, 471, 506 and 201 IPC.

2. Shorn and short of unnecessary details, the allegations, as levelled by informant-Monesh Israni in the present case, are that the petitioner had introduced his co-accused named Parveen Yadav to him (informant) as an IPS Officer, posted at NSG, Manesar and they had allured him (informant) to pay the total sum of Rs.64,49,81,220/-, by way of two cheques issued in favour of the "Office of GC (Garrison) Station Head Quarters NSG", on the pretext of the deposit of the same as earnest

money for two housing projects at NSG, Manesar, while misrepresenting to him that the afore-said Office held a bank account whereas in fact, the sister of accused Parveen Yadav named Ritu Raj Yadav, who was posted as the Manager in Axis Bank and some other Bank officials, had facilitated the opening of this account in the said Bank on the basis of the false/forged documents as prepared by accused Parveen Yadav and Mamta Yadav and thus, they had duped him of the above-mentioned amount.

3. It is pertinent to mention here that the petition bearing **CRM-M No.23753 of 2022**, as moved by the petitioner earlier for seeking the same relief as prayed for in this petition, had been dismissed by this Court on 22.08.2022 vide the order Annexure P-3.

4. Learned State counsel has submitted that he does not want to file written reply to the instant petition and would, rather, prefer to address the arguments in the same.

5. I have heard learned Senior counsel for the petitioner as well as learned State counsel in the present petition and have also gone through the file carefully.

6. Learned Senior counsel for the petitioner has contended that subsequent to the dismissal of the afore-referred previous bail petition of the petitioner vide the order Annexure P-3, the Challan (Annexure P-5) has been presented against him (petitioner) wherein he has been reported to be a property dealer and is alleged to have facilitated his co-accused Mamta Yadav to purchase 11 (eleven) properties and to have received the amount of commission in his bank account from the joint bank account of said

Mamta and Parveen Yadav, in lieu of the same and to have committed the offence under Section 420 read with Section 120-B IPC and as per order Annexure P-6 passed by the trial Court on 11.04.2023, the charge has been framed against him under Section 420 IPC only and the said offence is punishable with the imprisonment up to seven years and he has been in custody since 13.01.2022 and in these circumstances, he deserves the relief as prayed for in the instant petition.

7. Learned State counsel has not disputed the above-mentioned factual position but he has opposed the prayer of the petitioner for the grant of regular bail, in view of the nature of the offence committed by him.

8. Keeping in view the afore-discussed facts and circumstances and also the facts that in the list of its witnesses as annexed in the Challan presented in the criminal case under reference, the prosecution has cited more than one hundred witnesses and the charge has been framed against the petitioner on 11.04.2023 and thus, the trial has just commenced and is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Dinesh Sorkhi is hereby ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. The petition in hand stands allowed accordingly.

May 30 , 2023
pooja

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>