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

CRM-M-25292-2023
Date of decision : 18.10.2023

NARENDER SINGH

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Kanishk Sarup, Advocate for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana.

Mr. G.C. Shahpuri, Advocate for the complainant.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.738 dated 17th of November, 2022 registered for the offences punishable under Sections 406, 420, 120-B of the IPC and Section 201 IPC added later on at Police Station Krishna Gate, Thanesar, District Kurukshetra.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. Ms. Sidhu has tendered three demand drafts amounting to Rs.2.00 lacs each i.e. Rs.6.00 lacs *in toto*. Copy thereof is being kept on the file. The original demand drafts have been handed-over to Mr. G.C.

Shahpuri, Advocate counsel representing the complainant.

4. The parties are at loggerhead owing to monetary transactions having gone bad.

5. In order to show *bona fide* the petitioner has paid an amount of Rs.6.00 lacs by way of demand drafts today in the Court.

6. Mr. Sidhu submits that the petitioner is behind bars for more than 6 months, 4 days and *qua* the same transaction proceedings under Section 138 of the N.I. Act are also pending. Investigation already stands completed and the charges have been framed. Thus, the custody of the petitioner cannot be prolonged as punitive measure.

7. State Counsel does not dispute the aforesaid factual assertions made by counsel for the petitioner which are based on record.

8. I have heard counsel for the parties and have gone through records of the case.

9. In view of above, without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

10. Needless to say anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

11. It is further made clear that the amount paid by the petitioner and accepted by the complainant is definitely without prejudice to the rights of either of the parties.

October 18, 2023
Dpr (Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No