

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27800-2023
Date of Decision:-02.06.2023

PRATAP DAGAR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Devinder Kumar, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.641 dated 26.10.2016 registered under Sections 420, 406, 201, 120-B IPC at Police Station City Palwal, District Palwal.
2. The allegations in nut-shell are that the petitioner entered into an agreement to sell his property with complainant on 2.10.2013 for consideration of Rs.24 lac out of which he received Rs.23 lac as advance payment and the date fixed for execution of sale deed was 24.4.2014. There are also allegations that the petitioner had already

sold the said property to Smt. Dharshan Dalal for consideration of Rs.19.20 lac vide sale deed dated 18.3.2013 and thus defrauded the complainant of Rs.23 lac. During investigation, the petitioner was arrested on 7.8.2022

3. The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case at the instance of complainant and further submits that the petitioner is in custody for the last about 10 months and that complainant is already examined during trial, but it will take time for the trial to conclude, so prayer is made that the petitioner be released on regular bail.
4. The instant petition is resisted by the State counsel, who on instructions from ASI Kuldeep submits that the petitioner cheated the complainant of Rs.23 lac. However, the State counsel has not disputed the fact that the petitioner is in custody since 7.8.2022. The State counsel further apprised the Court that after completion of investigation, challan stands presented and the trial is going on.
5. I have considered the submissions made by counsel for the parties.
6. Admittedly all the offences are triable by the Court of Judicial Magistrate Ist Class and the petitioner who was arrested on 7.8.2022 is presently lodged in judicial custody and it will take considerable time for the trial to terminate, so no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.
7. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to

his furnishing bail and surety bonds to the satisfaction of the trial
Court/CJM/Duty Magistrate concerned.

02.06.2023
Gaurav Sorot/Manoj

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No