

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

CRM-M-35957-2023
Date of Decision: 01.08.2023

Mukesh alias Vicki ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sudhir Rana, Advocate
 for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail to him in case FIR No.6 dated 08.01.2023 registered under Sections 406, 420, 467, 468, 471, 506 and 201 of IPC at Police Station Jhojhu Kalan, District Charkhi Dadri.

The FIR in the present case was registered on the basis of the complaint moved by Ramphal, by alleging that in April, 2022, he went to Kosli, where Mukesh, accused, met him and asked him to get his son employed in Electricity Board at DC rate and raised a demand of Rs.1 lakh from him. Again on 4/5 May, 2022, Mukesh Kumar came to the house of the complainant and assured his family to get his son employed and the complainant handed over a sum of Rs.50,000/- to him and the remaining amount was to be paid at the time of handing over the joining letter. As per the complainant, after about one week, Mukesh Kumar came to his house and handed over him the joining letter of his son and took the remaining sum of Rs.50,000/- from him.

However, on 09.05.2022, when the son of the complainant went to the office of Electricity Board for joining, he came to know that the appointment letter was fake and fabricated. Later on, the accused tried to put off the matter on one pretext or the other and did not give any satisfactory reply to the complainant. With these broad allegations, the FIR in the present case was registered against the present petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there was delay of almost 07 months in registration of the present FIR. He further contends that the complainant could not produce any evidence to show that an amount of Rs.1 lakh was paid to the present petitioner. He further contends that the investigation in the present case has been completed and further custody of the petitioner will serve no meaningful purpose.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner is the main accused and does not deserve the concession of bail. She further states that challan has already been presented in the present case on 28.07.2023 and the case is listed today for framing of charges before the learned trial Court.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner was arrested in the present case on 01.07.2023 and is in custody for the last one month. Challan has already been presented in the present case and the trial is yet to formally

commence against the present petitioner. Still further, there is no other case against the present petitioner.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

01.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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