

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.37926 of 2023 (O&M)
Date of decision: 16th October, 2023

Vipin

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

Mr. Arun Gupta, Advocate for
Mr. Rakesh Gupta, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.483 dated 27.12.2022 under Sections 420, 406, 467, 468, 471, 506 IPC registered at Police Station Madhuban, District Karnal.

2. Learned counsel for the petitioner inter alia submits that totally false allegations have been levelled against the petitioner of having lured the complainant to part with ₹ 16.00 lacs on the pretext of providing complainant and others a job in the Indian Army. He submits that after challan was presented, charges have been framed, however, none of the 8 witness cited by the prosecution have been examined till

date, hence, the trial would take considerable time to conclude. A prayer has therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel assisted by the learned counsel appearing on behalf of the complainant, has opposed the prayer and submissions made by the counsel opposite. Learned State counsel, on instructions, submits that the petitioner had duped innocent people of a huge amount of money. On further instructions, he submits that the next date of hearing fixed before the trial Court is 19.10.2023, when the prosecution evidence is likely to commence. Learned counsel for the complainant submits that the petitioner is the prime accused in the crime in question, who duped the complainant by impersonating himself as a defence personnel.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has now been in custody since 09.03.2023 in case of Magisterial trial. Investigation in the case in hand is complete and even charges have been framed. The trial is, thus, unlikely to conclude in the near future. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

October 16, 2023

rps

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