

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.38194 of 2023 (O&M)

Date of decision: 11th August, 2023

Dheeraj @ Lambu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Vipul Sherwal, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.182 dated 10.05.2022 under Sections 406, 420 IPC registered at Police Station Madlauda, District Panipat.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand for allegedly duping the complainant of an amount of more than ₹ 34.00 lacs on the pretext of sending him and his brother abroad and providing him with a Canadian visa. Learned counsel submits that during investigation, the only role which came to light qua the petitioner was that he had introduced one Gurdhir Singh as Harwinder Singh alias Kulbir Singh. Learned counsel further submits that the petitioner has been in custody since 18.05.2023 and investigation in the case in hand is complete as challan stands presented. However, charges have not yet

petitioner in the facts and circumstances would serve no useful purpose as all the offences are triable by Magistrate. A prayer has therefore, been made for extending the concession of bail to the petitioner.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has submitted that the petitioner played an active role in the crime in question, as not only did he introduce the complainant with the co-accused but even an amount of ₹ 2.00 lacs was transferred in his account which lends credence to the involvement of all the accused in the crime in question.

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

5. Investigation is complete as final report under Section 173(2) Cr.P.C. stands presented. The trial is unlikely to conclude in the near future as 16 prosecution witness have been cited which are yet to be examined. 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

August 11, 2023
rps

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