

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

CRM-M No.44820 of 2022

Date of decision: 28th February, 2023

Tribhuvan Parnami

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Girdhari Arora, Advocate for the petitioner.

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

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of the concession of bail in case bearing FIR No.0144 dated 11.04.2018 under Sections 477-A, 468, 424, 420, 409, 405, 34 & 120-A IPC and Section 3 of HPIDFE Act, 2013 registered at Police Station Civil Lines, District Gurugram.

Learned counsel for the petitioner has reiterated the submissions made on the last date of hearing that until 2017, the petitioner had been regularly paying the complainant the assured amount of interest, however, due to demonetization his business ran into rough weather, as a result of which he defaulted in giving the assured amount of interest to the complainant. Learned counsel submits that the petitioner has been in custody since 12.06.2018 and there is no likelihood of the trial concluding in the near future as only 5 prosecution witnesses out of 51 cited by the investigating agency have been examined till now. He submits that all these 5 witnesses who

stand examined, are one of the 36 investors. Learned counsel further submits that no doubt there are three other criminal cases registered against him of similar nature however, he already stands enlarged on bail in all those cases, by this Court vide order dated 12.05.2022.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Om Parkash, has not been able to controvert that 5 out of 51 prosecution witnesses, which include the investors, stand examined. He further submits that the next date fixed before the trial Court is 20.05.2023. Learned State counsel on further instructions has also not controverted that the petitioner is on bail in the other three criminal cases which stand registered against him.

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

In the facts and circumstances as enumerated hereinabove, since the petitioner has been in custody for almost 5 years and the conclusion of trial would take considerable time, this Court deems it fit to allow the instant petition. 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 contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 28, 2023
rps

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