

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

201

CRM-M-45174-2023

Date of decision: 06.11.2023

VIKRAM BAGRI

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Prabhjyot Singh, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

Mr. Naveen Sharma, Advocate
for the complainant.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.175 dated 19.08.2022 under Sections 406, 420 and 506 of IPC (Sections 467, 468, 471 and 120-B of IPC added later on), registered at Police Station Panjokhra, District Ambala as the first petition seeking regular bail to the petitioner was dismissed as withdrawn vide order dated 11.04.2023 (Anneuxre P-3) passed by this Court.

Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the case in question on totally false and fabricated allegations. It is alleged that in the last week of June, 2021, the complainant met the petitioner and his wife in a marriage function at USA Garden, Baldev Nagar, Narayangarh road. The complainant got enticed into the talks of petitioner and his wife for getting a government job as they helped a number of persons in getting government job at good ranks

in various government departments. On that pretext, an amount of Rs.4,61,500/- has been received by the petitioner but complainant alleged in the FIR that an amount of Rs.15 lakh has been received by the petitioner, which cannot be adjudicated at this stage as rest of the disputed amount is in cash and same shall be decided by leading evidence before the learned trial Court. Learned counsel submits that petitioner is not involved in any other case and co-accused, namely, Bharti-wife of the petitioner has been granted interim/anticipatory bail vide order dated 17.05.2023 passed in CRM-M-9023-2023 passed by this Court and investigation has already been concluded wherein challan stands presented and charges have been framed and till date only 01 prosecution witness out of 16 prosecution witnesses has been examined and next date hearing before the trial Court is 14.11.2023.

On the other hand, learned State counsel assisted by Investigating Officer has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature and there is every likelihood that he will again misuse the concession of regular bail. However, he has not disputed the fact that challan stands presented on 16.01.2023 and charges have been framed and out of total 16 prosecution witnesses only 01 prosecution witness has been examined till date. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 22.11.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, the amount received by the petitioner is

disputed and same is debatable during the trial. Moreover, investigation has already been completed, challan stands presented but charges have been framed and out of total 16 prosecution witnesses 01 witnesses has been examined till date. Keeping in view that the trial would take sufficient time, and no other case is pending against the petitioner, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

November 06, 2023

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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No