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

**CRM-M-49918-2022
Decided on:-25.01.2023**

Tushar Sharma

....Petitioner..

vs.

State of U.T. Chandigarh

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tushar Wadhwa, Advocate for
Mr. Puneet Verma, Advocate for the petitioner.

Mr. P.S. Paul, Additional P.P. U.T., Chandigarh.

HARKESH MANUJA J. (Oral)

By way of present petition, the prayer made herein is for grant of regular bail in case FIR No.81 dated 06.08.2022, under Sections 406, and 420 IPC, registered at Police Station North, Sector 3, Chandigarh.

Learned counsel for the petitioner submits that the allegation levelled in the FIR against the petitioner has been about the purchase of a car and, thereafter, failed to pay the amount.

Learned counsel for the petitioner further submits that the petitioner is in custody since 06.08.2022. He also submits that investigation in the present case already stands concluded, challan filed on 06.10.2022, however, so far even the charges have not been framed and, as such, prays for concession of regular bail.

On the other hand, prayer made at the instance of the petitioner has been opposed at the instance of learned State counsel, who submits that in fact, the petitioner cheated the complainant of having purchased her car

and was not able to pay the amount, despite having issued cheque in her name, which was got dishonoured.

Having heard learned counsel for the parties and gone through the paper book as well as considering the facts and circumstances, wherein, the investigation already stands concluded, challan filed, the charges have not yet been framed despite expiry of two months of filing of challan, there does not appear to be any justification to keep the petitioner behind the bars by extending his incarceration.

More than that, present is the case which arises out of a deal relating to sale and purchase of a car, which ultimately, could not mature between the parties.

In view of the above, without commenting upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial court/Duty Magistrate.

25.01.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No