

218 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM M-53962-2022 (O&M)
Date of Decision: 01.08.2023**

Aman Sahani

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rahul Bhargava, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in FIR No.540 dated 06.09.2019, under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 registered at Police Station Faridabad Central, District Faridabad.

(2) Allegations are that petitioner hatched a conspiracy along with co-accused Vishal and cheated the complainant, namely, Thomson Press India Limited of a sum of Rs.36.5 lakh by fraudulently withdrawing the amount from ICICI Bank.

(3) This Court, on 03.07.2023, while granting interim bail to the petitioner, passed the following order:-

“Contends that petitioner is in custody since 07.11.2020 and there is no criminal case pending against him.

Learned State counsel seeks time to verify the above factual position.

Posted on 01.08.2023.

In the meantime, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate

bail and surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

(4) Learned counsel, on instructions from petitioner, submits that he has been regularly appearing before learned trial Court. Further contends that petitioner is not involved in any other case. Also contended that in case, petitioner is granted bail on regular basis, there is no apprehension or allegation that he shall influence the witnesses or tamper with the evidence in any manner.

(5) Learned State counsel has apprised the Court that now prosecution evidence is over and trial is pending for 10.08.2023 for recording defence evidence and/or arguments.

(6) In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose.

(7) Consequently, the present petition is allowed and interim bail granted vide order dated 03.07.2023, is made absolute. Petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(8) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

(9) The above observations may not be construed as an expression of opinion on the merits of the case.

(10) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

01.08.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No