

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 59162-2022 (O&M)

Date of Decision: 13.02.2023

Kamaljit Verma

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab.

Mr. Eklavya Gupta, Advocate
for the complainant.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 115 dated 29.08.2022, under Sections 420 IPC registered at Police Station Nangal, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner is in custody since 25.11.2022. He submits that the petitioner has been falsely implicated in the present case as there is delay of more than two years in registration of the present FIR and that as per allegations of the

complainant, a dispute arose between the petitioner and the complainant regarding sale and purchase of a car and if there is any dispute regarding the non-returning of any amount by the complainant, the complainant can get it recovered by filing a recovery suit. He further submits that the challan stands presented and no recovery is to be effected from the petitioner and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and he is involved in one more case, however, does not dispute the fact that the matter stands investigated.

Confronted with the same, learned counsel for the petitioner submits that in the said case he has been released on bail.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 25.11.2022.

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, since the challan stands presented and the trial would take sufficient time, 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 concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

13.02.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No