

226 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-60528-2022

DECIDED ON: 9<sup>th</sup> JANUARY, 2023

SAYYAD TAJMOOL HUSSAIN NAKVI

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Suram Singh Rana, Advocate and  
Mr. Arvind Kumar Sharma, Advocate  
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Sandeep Saini, Advocate for  
Mr. Sahil Chaudhary, Advocate  
for the complainant.

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**SANDEEP MOUDGIL, J. (ORAL)**

This is a petition seeking regular bail in FIR No.158, dated 22.07.2018, under Sections 406, 420, 506, 201 of the IPC and Section 10 of Immigration Act, registered at Police Station Bilaspur, District Yamuna Nagar.

Learned counsel for the petitioner contends that there is no dishonest intention of cheating on the part of the petitioner and the complainant could not make the arrangement of the balance amount, as agreed between the parties, vide agreement dated 08.02.2018 (Annexure P-2). It is asserted that it is a case of civil nature and no criminal liability has accrued.

On the other hand, learned State counsel has produced the custody

certificate of the petitioner, which is taken on record. According to the custody  
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certificate, the petitioner is behind bars for the last 02 months and 17 days and there is no other case pending against him.

Considering the facts that petitioner had deposited a sum of ₹15000/- on 04.06.2018 and a sum of ₹30,000/- on 04.07.2018 in the bank account of the complainant; investigation in the present case is complete; challan stands presented and charges have been framed on 05.01.2023, no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

9<sup>th</sup> JANUARY, 2023

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(SANDEEP MOUDGIL)  
JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |