

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

CRM-M-60481 of 2022(O&M)

Date of Decision: 16.02.2023

Shivji Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Ms. Vasundhara Dalal Anand, Advocate
For the petitioner.**

Mr. Naveen Sheoran, DAG Haryana.

**Mr. Gaurav Sharma, Advocate
For the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 157 dated 10.11.2020, registered under Sections 408 and 120-B IPC at Police Station Bajghera, District Gurugram, to which Sections 467 and 471 IPC were added lateron.

The allegations in nutshell are that Ranvijay Singh son of the petitioner was working in the complainant Company and he embezzled huge amount from the accounts of the said Company and thereafter he transferred the said amount to different persons including the present petitioner. Ranvijay Singh has been arrested in this case and even the petitioner is in custody since 26.11.2022.

The counsel for the petitioner, *inter alia*, contends that the petitioner was not named in the FIR and he has nothing to do with the

Company in which his son Ranvijay Singh was working and that no money was ever transferred in the name of the petitioner from the bank account of the complainant or the concerned Company. The counsel for the petitioner further submits that the petitioner is in custody since 26.11.2022 and after completion of investigation challan has been presented but it will take time for the trial to conclude. So, prayer is made that the petitioner be released on regular bail.

The present petition is resisted by the State counsel who submits that the petitioner was also party to the fraud which was committed by Ranvijay Singh. However, the State counsel has not disputed the fact that on completion of investigation, the challan has been presented by the police but the trial is yet to commence.

The counsel appearing on behalf of the complainant has pleaded no objection if the present petition is allowed.

Taking into consideration the fact that investigation has completed and challan presented but the trial is still to commence, no purpose is going to be served by detaining the petitioner in custody for any longer period.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.02.2023

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No**