

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

254

CRM-M-7492-2024

Date of decision: 20.02.2024

Arjun Vats

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gurdeepinder Singh Dhillon, Advocate and
Mr. Jatin Bansal Kotshaimir, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.159 dated 01.04.2022 under Sections 406, 420, 467, 468, 471, 506 and 120-B of the IPC registered at Police Station Sampla, District Rohtak.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been in custody since 15.08.2022 in a magisterial trial. After the challan was presented on 07.11.2022 charges had not been framed till date and hence, there was no likelihood of the trial concluding in the near future. It has been further submitted that the prime accused in the case in hand, Sandeep, is on interim bail and the parties have been referred to the Mediation and Conciliation Centre of this Court for exploring the possibility of an amicable settlement. Learned counsel has further submitted that since the case rests on documentary evidence, his further incarceration would serve no useful

purpose as there could be no possibility of the petitioner tampering with evidence which is already with the investigating agency.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not been able to dispute that the investigation in the case in hand is complete as challan stands presented, however, she submits that the next date fixed before the Trial Court is 10.04.2024 when charges are likely to be framed. It has also been submitted that the petitioner prepared a General Power of Attorney (GPA) in his own name from Ghaziabad and thereafter sold a factory to the complainant on the basis of a fabricated GPA. She has also brought to the notice of this Court that there were bank transactions between the complainant and the petitioner which further substantiate his involvement in the alleged crime.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody for almost 01 year and 06 months having been arrested on 15.08.2022 in a magisterial trial. Likelihood of the trial concluding in the near future seems remote as the charges are yet to be framed coupled with the fact that as many as 26 witnesses have been cited by the prosecution. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it

is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

20.02.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No