

CRM-M-6693-2024

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6693-2024
Date of decision: 13.05.2024

Jagmeet Singh @ Jaggi

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Gourav Jain, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR (Annexure P-1). Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
170	08.06.2023	120-B, 406, 420, 467, 468 and 471 IPC	City Ratia, District Fatehabad

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner happens to be the employee in the shop of co-accused, namely Dheeraj Kumar, but has not committed any crime nor any specific *overt act* is attributed to him. He contends that as per the allegations, the petitioner used to introduce the customers to the

CRM-M-6693-2024**-2-**

shop owner for getting benefit of finance scheme. He contends that the petitioner has been arrested on 07.09.2023 and is in custody since then and only recovery of Rs. 6,000/- has been effected from him. He contends that challan has already been presented in the Court, hence, he prays for grant of regular bail to the petitioner.

3. Per contra, learned State counsel, while referring to the reply dated 27.02.2024, has submitted that the petitioner had been actively conniving with the co-accused in committing the crime and as such, he is not entitled to concession of bail. He, however, admitted that challan has since been presented in the Court after the arrest of the petitioner on 07.09.2023.

4. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered after various complaints being received against the accused regarding breach of trust and embezzlement of the loan amount on the basis of agreement dated 08.02.2019 executed between Bajaj Finance Company and the Firm-M/s Five Star Imports Ratia, through proprietor Dheeraj Kumar. During the course of investigation, the petitioner was arrested on 07.09.2023 and Rs. 6,000/- was recovered from him. After completion of investigation challan has since been presented against the petitioner and the criminal liability, if any, of the petitioner can only be ascertained after the conclusion of trial which may take sufficient long time and in these circumstances, as observed, no purpose would be served in

CRM-M-6693-2024

-3-

keeping the petitioner in custody any longer to face the incarceration till the conclusion of trial. Accordingly, without commenting on the merits of the case, instant petition is allowed and the petitioner is ordered to be released on bail on his furnishing surety bonds/bail bonds to the satisfaction of Trial Court/Duty Magistrate.

5. The petitioner shall give the undertaking that he will not leave the country without prior permission of the Court; will regularly appear before the learned Trial Court on each and every date; in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed and he will not tamper with evidence of prosecution in any manner.

6. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

7. Petition stands allowed.

(SANJIV BERRY)
JUDGE

13.05.2024
preeti

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |