

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.14970 of 2024
Date of decision: 3rd April, 2024

Lovepreet Singh @ Lovi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nikhil Vats & Mr. Ashish Khatkar,
Advocates for the petitioner.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.340 dated 09.10.2023 under Sections 406, 420, 467, 468, 471, 120-B of the IPC registered at Police Station Sector 50, District Gurugram.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been in custody since 26.11.2023 for conniving with the co-accused, who allegedly lured the complainant and her friend to part with a huge amount of ₹45.00 lacs on the pretext of getting them admitted in a Medical College at Durgapur (Rajasthan). Learned counsel, while drawing the attention of this Court to the FIR in question, has submitted that a perusal of the same clearly reveals that

all the allegations have been levelled against the co-accused Raghbir, Manjit Singh and Aditya Mauriya; not even a single penny was paid to the petitioner much less deposited in his bank account. Learned counsel submits that the petitioner was merely working as an employee of the co-accused. He submits that in the facts and circumstances, more so since there is no explicit allegation against the petitioner in the FIR in question, coupled with the fact that the investigation is complete, his further incarceration would serve no useful purpose as the trial would take considerable time to conclude.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute that the petitioner was not named in the FIR in question nor was there any suspicion raised therein qua his involvement in the crime in question. However, it has been submitted that when co-accused was arrested, he suffered a disclosure statement nominating the petitioner as also being one of their accomplices who had shared some money out of the total amount of ₹45.00 lacs which had been deposited by the complainant after being assured of admission in the Medical College. Learned State counsel, on further instructions, has submitted that the next date of hearing fixed before the trial Court is 05.04.2024 when the prosecution evidence is likely to commence.

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

5. The petitioner came to be nominated as an accused on the basis of disclosure statement allegedly suffered by co-accused; concededly no money was ever handed over to the petitioner or even deposited in his bank account. As many as 29 witnesses have been cited by the prosecution hence, there is no likelihood of the trial concluding in the near future. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)
JUDGE

April 3, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No