



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

**CRM-M-18269-2024
Date of Decision:24.05.2024**

**FIROJ KHAN ALIAS
ROMI**

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr.Chandan Singh Rana , Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.187 dated 18.07.2023 registered under Sections 420 and 406 IPC (Section 120-B IPC added later on) and Section 10 and 24 of Immigration Act at Police Station Ismailabad, District Kurukshetra.

2. Learned counsel for the petitioner contends that the FIR in the present case was got registered by Pritam Singh, complainant, by alleging that he was cheated to the tune of Rs. 7 lacs, on the false pretext of sending his daughter abroad. Neither his daughter was sent abroad nor money was returned to him and he was being threatened by the accused. He further contends that the petitioner was arrested in the present case on 03.01.2024 and he is in custody for the last more than 04 months. After completion of the investigation, the challan has already been presented in the Court. He further contends that since the investigation has already been concluded and the trial Court may take considerable time in completing the trial, his custody will not served any meaningful purpose. Learned counsel further

contends that even, other criminal cases were also registered against him with similar allegations, however, the petitioner is on bail in those cases.

3. On the other hand, learned State counsel has opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner is a habitual criminal and is involved in five other similar cases. He further contends that the petitioner may abscond from the process of law, in case, he is ordered to be released on bail by this Court. Thus, the petitioner does not deserve the concession of bail.

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

5. In the present case, the petitioner was arrested on 03.01.2024 and is behind the bars for the last more than 04 months. All the offences in the present case are triable by the Court of Magistrate and it will not be possible for the trial Court to conclude the trial in near future. Still further, no doubt registration of other criminal cases is a relevant factor, which is always taken into consideration by this Court while granting the concession of bail to the accused; however, in the peculiar facts and circumstances of the present case, the petitioner has been able to make out a case for grant of bail and the pendency of other cases would not be a ground for rejection of the bail.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

24.05.2024

M.Sikka

(N.S.SHEKHAWAT)
JUDGE

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