

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

Date of Decision: 18.07.2024

...Petitioner

...Respondent

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and no specific role has been attributed to him. He further contends that even during the course of investigation, the



police could not collect any incriminating evidence, which could show that the petitioner had made a false assurance to the complainant to secure the job for his wife. He further contends that Bhawna Bishnoi, wife of the petitioner was also arrested in the present case, however, she has already been granted the concession of bail by this Court in CRM-M-3086-2023 on 22.08.2023 (Annexure P-6). Learned counsel further contends that the petitioner was arrested in the present case on 18.12.2023 and is in custody since then. He further contends that after completion of the investigation, the final report under Section 173 Cr.P.C. has already been presented against him and the conclusion of the trial may take quite a long time. Learned counsel for the petitioner has also placed reliance on various OPD cards, issued by Maharaja Agarsain Medical College and Hospital, Agroha, Hisar and PGIMS, Rohtak (Annexures P-2 to P-4) to contend that the petitioner is suffering from serious ailments relating to pancreas and liver and deserves sympathetic consideration by this Court.

4. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had cheated the complainant side to the tune of Rs.97,00,000/- and does not deserve the concession of bail. Learned counsel for the complainant submits that in the present case, three accused are yet to be arrested and the Investigating Officer of the present case has colluded with the accused side. He however admits that for seeking appropriate relief in this regard, the complainant has already moved an application before the Area Magistrate.



5. I have heard the learned counsel for the parties and perused the record.
6. The petitioner is in custody for the last about 07 months and after completion of the investigation, the challan has already been presented in the present case. Moreover, all the offences are triable by the Court of Magistrate and the conclusion of the trial may take quite a long time. Apart from that, there is no other case against the present petitioner and no purpose will be served by keeping the petitioner behind bars.
7. 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/Duty Magistrate/Chief Judicial Magistrate, concerned.

18.07.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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