



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

230**CRM-M-22550-2024****Date of decision: 31.07.2024****GURPREET SINGH @ NARPINDER JEET**

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Satnam Singh Gill, Advocate, for the petitioner.

Mr.Gagandeep Singh Chhina, AAG, Haryana.

Mr. Kirpal Singh, Advocate for respondent No.2.

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.447 dated 21.10.2021 under Sections 406, 420, 120-B of the IPC, 1860 registered at Police Station Sector 50, Gurugram District Gurugram.

2. Learned counsel for the petitioner has submitted that the parties have indeed resolved the dispute and the money which was due to him i.e. Rs.2,35,000/- has been handed over to the complainant by way of a bank draft bearing No.137212 dated 10.07.2024 drawn in Canara Bank, DLF City Branch, Gurugram. He further submits that the petitioner has been in custody since 13.12.2023 and further incarceration of the petitioner would serve no useful purpose.



3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from SI Jitender, has submitted that the complainant is just one of the many innocent persons who have been cheated and duped by the petitioner of approximately Rs.29 lacs. Learned State counsel has further submitted that it is the modus operandi of the petitioner that he would order different commodities from different persons on credit basis and thereafter he would not make payments to them. It has been further submitted that after the registration of the present FIR numerous complaints had been received against the petitioner. Learned State counsel has filed his custody certificate which is taken on record. Learned State counsel has drawn the attention of this Court to the number of cases including cases under Section 174-A of IPC which are pending against the petitioner. Learned State counsel has submitted that since the petitioner has previously been declared a proclaimed offender in two criminal cases, there is every likelihood that in case he is enlarged on bail and that too at this stage when the charges are yet to be framed, he could yet again abscond leading to further delay in the conclusion of trial in the present case.

On a pointed query put to the learned State counsel as to whether the other victims who had allegedly been cheated and duped by the petitioner were joint in business with the complainant, he, on instructions, has replied in the negative and submitted that the transactions between the petitioner and the other victims were independent of any transaction between the present complainant and the petitioner.



4. Learned counsel for the complainant, however, has submitted that since the cheated amount of money has been returned by the petitioner, he would not oppose the prayer made by the learned counsel for extending the concession of bail to him.

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

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner as the complainant has resolved the dispute with the petitioner.

7. Accordingly, the instant petition is allowed and 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.

8. 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.

(MANJARI NEHRU KAUL)
JUDGE

July 31, 2024
poonam

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