



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

280

CRM-M-28292-2024 (O&M)
Date of Decision:- 30.07.2024

SALAM

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gagan Bajaj, Advocate for the petitioner.
Mr. Ramender Singh Chauhan, AAG Haryana.

SANJIV BERRY, J. (ORAL)

CRM-24393-2024

For the reasons stated in the application, same is allowed.

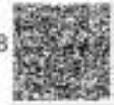
Exemption is granted.

CRM-M-28292-2024

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

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

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He



submits that no amount was ever credited in the account of the petitioner and he is not a beneficiary. He further submits that the petitioner was not named in the FIR and his name surfaced in the disclosure statement of co-accused Jagmeet Singh @ Jaggi, who has since been granted the concession of regular bail by this Court vide order dated 13.05.2024 passed in CRM-M-6693-2024. He thus prayed for grant of regular bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report submitted by the State has opposed the petition and submits that the petitioner had been actively conniving with other co-accused in committing the crime and as such, he is not entitled to the concession of bail. He has, however, admitted that challan has since been presented in Court.

4. Heard.

5. 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 05.12.2023 and Rs.1,000/- along with a laptop and a cell-phone 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



keeping the petitioner in custody any longer to face the incarceration till the conclusion of trial.

6. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

30.07.2024
S.Sharma(syr)

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