

2024:PHHC:087737



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

**CRM-M-30220-2024
Decided on:-15.07.2024**

Biju Dangwal @ Vijay

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.S.Narula, Advocate and
Mr. T.P. Singh, Advocate,
for the petitioner.

Ms. Safia Gupta, AAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.374 dated 08.07.2023 registered under Sections 406 and 420 IPC and Section 24 of the Immigration Act, at Police Station Naraingarh, District Ambala, Haryana, wherein the petitioner has been implicated with the allegations of having duped of the complainant by extending them assurance of sending them abroad and providing them fake work permit as well as fake medical document.

2. On the other hand, the prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in five more cases of similar nature

and thus, prays for dismissal of the present petition.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges on 10.10.2023, however, even after the expiry of around 09 months, only 02 of the prosecution witnesses have been examined and out of that one in part. The petitioner is in custody for the last more than 11 months now, besides it, he has already been granted the concession of regular bail by the Court of SDJM, Naraingarh vide order dated 26.09.2023 (Annexure P-11) in one of the cases bearing FIR No.413 dated 05.08.2023. In such, circumstances, the trial being not progressing, I do not find any justification to extend the incarceration of the petitioner.

5. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

6. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

15.07.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No