



CRM-M-30746-2024 (O&M)

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

Sr. No.202

CRM-M-30746-2024 (O&M)

Date of decision: 31.08.2024

Arun Bai Gurdev Pandit @ Vishnu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Anuj Kumar, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

Mr. Aryan Sharma, Advocate for
Ms. Tanya Vashisht, Advocate
for the complainant.

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DEEPAK SIBAL, J. (Oral)

1. The present petition has been filed for the grant of regular bail in FIR No.499 dated 30.08.2022 registered under Sections 406 and 420 IPC at Police Station Tehsil Camp, District Panipat.
2. The petitioner, alongwith co-accused Anil Kumar, is being prosecuted for having allegedly cheated the complainant by receiving Rs.20 lakhs for supplying gold which was never supplied.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case as he has not received any money

**CRM-M-30746-2024 (O&M)**

for supplying gold to the complainant; the petitioner is a senior citizen aged 63 years with no other criminal antecedents; investigation in the case is complete and therefore, he is no longer needed for the purpose of investigation; the dispute between the petitioner and the complainant stands compromised; the petitioner has suffered actual custody of 08 months and 05 days and that since in the petitioner's trial 14 prosecution witnesses still remain to be examined, the same will take a long time to conclude.

4. Learned counsel appearing for the complainant admits to the compromise between the petitioner and the complainant.

5. Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has played fraud which stands proved after investigation.

6. Learned counsel for the parties have been heard.

7. The petitioner is a senior citizen with no other criminal antecedents; he is accused of compoundable offences; the dispute between the petitioner and the complainant stands compromised; report under Section 173 Cr.P.C. has already been filed and therefore, the petitioner is no longer needed for investigation purposes; the petitioner has suffered actual custody of 08 months and 05 days and that since in the petitioner's trial 14 prosecution witnesses still remain to be examined, the same is likely to take a long time to conclude.

8. Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the



CRM-M-30746-2024 (O&M)

concerned CJM/Duty Magistrate, who shall insist upon two local sureties, the petitioner is directed to be released on bail.

9. It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

August 31, 2024
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No