

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.38105 of 2023
Date of decision: 13th March, 2024

Angrej

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. L.M. Gulati, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana
for the respondent/State.

Mr. Rajesh Bansal, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.131 dated 13.03.2023 under Sections 406, 420 IPC registered at Police Station Krishna Gate Thanesar, District Kurukshetra.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been in custody since 05.07.2023 in a Magisterial trial. It has been further submitted that there is no likelihood of the trial concluding in the near future as none of the 11 prosecution witnesses have been examined so far. It has been further submitted by the learned counsel for the petitioner that since challan stands presented and even charges stand framed, further incarceration of the petitioner in the aforementioned facts and circumstances of the case, would serve no useful purpose.

3. Per contra, learned State counsel assisted by the learned counsel appearing on behalf of the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that the petitioner lured the complainant to part with ₹7.25 lacs on the pretext of sending him abroad. Learned State counsel has also submitted that the petitioner has previously also been involved in similar cases. However, it has not been disputed that challan stands presented and even charges stand framed; the next date of hearing fixed before the trial Court is 21.03.2024 when recording of the prosecution evidence is likely to commence.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In a Magisterial trial, the petitioner has now been in custody since 05.07.2023 and there is no likelihood of the trial concluding in the near future as none of the 11 witnesses cited by the prosecution have been examined till date. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)
JUDGE

March 13, 2024

rps

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