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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M- 39563-2024
Date of decision:-11.12.2024

SANJAY SHARMA
... Petitioner
Versus
STATE OF PUNJAB
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sandeep Arora, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed custody certificate dated 10.12.2024 the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for grant of regular bail in the following case (Annexure P-1) :-

FIR No.	Dated	Sections	Police Station
111	19.05.2023	420, 120-B IPC	Division No.5, District Police Commissionerate, Ludhiana

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case, neither the petitioner had participated in the alleged transaction nor is he

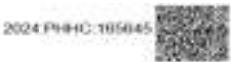


beneficiary thereof. He contends that the role of the petitioner is that of a introducer to main accused Baljinder Singh Matharu to whom payment was made by the complainant. The petitioner is in custody since 24.04.2024, challan has already been presented in Court. Hence, he prays for grant of regular bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by submitting that the petitioner in connivance with co-accused Baljinder Singh Matharu duped the complainant of hard earned money, hence, he is not entitled to concession of bail. Hence prayed for dismissal of the present petition.

6. After considering the rival contentions and perusing the record, it transpires that as per the allegations levelled in the FIR the petitioner happens to be at the most the introducer who had introduced the complainant to the main accused Baljinder Singh Matharu. It is not disputed that the payment of amount was made by the complainant to the co-accused Baljinder Singh Matharu and not to the petitioner. The petitioner is in custody since 24.04.2024, after completion of investigation, challan has already been presented in Court, the conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case triable by the Court of Magistrate will take sufficient long time.

7. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to



the satisfaction of learned Trial Court 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.

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

(SANJIV BERRY)
JUDGE

11.12.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |