



205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40522-2024

Date of decision : 13.09.2024

Sandeep Kumar Sharma

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepender Singh, Advocate
for the petitioner.

Mr. Naveen S. Bhardwaj, Addl. Advocate General, Haryana.

Mr. Abhimanyu Batra, Advocate
for the complainant.

ANIL KSHETARPAL, J. (Oral)

1. The petitioner prays for grant of regular bail in case arising FIR No. 76, dated 03.04.2017, under Section 406, 420, 467, 468, 471, 120-B IPC, Police Station Sector 56, District Gurugram (Haryana).

2. In substance, on the information supplied by the first informant alleging cheating and fraud primarily against late Sh. Ishpal Bhardwaj, an FIR was registered. It is alleged that Sh. Ishpal Bhardwaj lured large number of people to invest in society's account by giving false promise of Sunehra Apna Ghar Society. However, neither the possession of the house has been delivered nor their money has been returned. It is also alleged that the money has been collected from as many as 242 investors though only 94 flats/apartments were planned to be constructed. It is also alleged that the petitioner, who is brother-in-law of Ishpal Bhardwaj was also involved.



3. Learned counsel representing the petitioner submits that Anubhav son of Sh. Ishpal Bhardwaj has already been granted concession of interim bail in CRM-M-23736-2024. He further submits that on conclusion of the investigation, the final report under Section 173 Cr. P.C. has already been submitted in the Court and further incarceration of the petitioner shall not be appropriate because the conclusion of the trial is likely to take a long time.
4. *Per contra*, the learned counsel representing the first informant submits that the petitioner is also involved in the case because he was a co-conspirator with Sh. Ishpal Bhardwaj as he signed the share certificate issued by the Society to the first informant.
5. This Court has considered the submissions made by the learned counsel representing the parties.
6. As per information supplied by learned State counsel, the petitioner is not involved in another criminal case. The petitioner has only suffered incarceration for nearly 4½ months. The police has only submitted the challan on conclusion of the investigation.
7. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.
8. The petition is allowed.

13.09.2024
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(ANIL KSHETARPAL)
JUDGE