

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42906-2023 (O&M)

Date of Decision: 19.01.2024

Tinku @ Jatin

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Ajay Kumar Rana, Advocate, for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

N.S.Shekhawat J. (Oral)**CRM-47519-2023**

Learned counsel for the applicant-petitioner wishes to withdraw the present application.

Dismissed as withdrawn.

CRM-M-42906-2023

1. Status report by way of an affidavit of Superintendent, Central Jail, Ambala has been filed on behalf of the respondent-State in Court today and the same is taken on record.

2. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.171 dated 24.03.2022 registered under Sections 420, 406, 467, 468 and 120-B of IPC (Sections 471 & 201 of IPC added later on), at Police Station Baldev Nagar, District Ambala.

3. Learned counsel for the petitioner contends that as per the case of the prosecution, several persons had wrongly availed the benefit of scheme 'Express Credit Personal Loan' of the State Bank of India. However, the

petitioner had no concern with the said loans and he has been wrongly shown to be a middle man. Learned counsel further contends that as per the prosecution version itself, most of the borrowers have already repaid the loan amount to the Bank. He further contends that the petitioner was arrested in the present case on 28.04.2023 and the final report under Section 173 Cr.P.C. has already been presented against him.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He further submits that one more case i.e. FIR No. 170 dated 23.03.2022, under Sections 420, 467, 468, 471 of IPC at Police Station Baldev Nagar has been registered against the petitioner, however, the petitioner has already been granted the concession of bail in the said case on 05.01.2024 in CRM-M-48196-2023.

5. I have heard the learned counsel for the parties and gone through the record.

6. In the present case, the petitioner was arrested on 28.04.2023. The challan has already been presented against the petitioner and only one witness, out of total 14 witnesses, has been examined so far. Still further, all the offences are triable by the Court of Magistrate and no purpose would be served by keeping the petitioner behind bars.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

19.01.2024

hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No