

2024:PHHC:141200



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

CRM-M-50460-2024

Date of Decision : 28.10.2024

RAVINDER SINGH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sandeep Kr. Bhardwaj, Advocate,
for the petitioner.

Mr. Rajesh Gaur, Addl.A.G., Haryana

Mr. Prashant Kumar Chauhan, Advocate for
Mr. Aman Yadav, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, the petitioner craves for indulgence of this Court for his being enlarged on regular bail, in case FIR No.186, dated 03.05.2024, under Sections 420 and 406 of the IPC, registered at Police Station Model Town, Rewari, Haryana.

2. In asking for the relief (*supra*), learned counsel for the petitioner, without touching to the merits of the case, *inter alia*, submits that the petitioner has suffered incarceration of about 3 months, as on today, and all the offences for which the present petitioner is facing trial, are triable by a court of Judicial Magistrate Ist Class.

3. He further submits that, in the instant matter, a civil dispute has been camouflage as a criminal case, therefore, further incarceration of the present petitioner is unwarranted.

4. On the other hand, learned State counsel, assisted by learned counsel for the complainant, has vociferously opposed the asked for relief (*supra*), to the present petitioner, on the ground that petitioner has cheated the complainant with a huge amount, on the pretext of selling a plot, which was already mortgaged with a bank.

5. Lerner State counsel, has filed custody certificate *qua* the petitioner, today in court, which reflects that the petitioner has suffered incarceration of 3 months and 01 days, as on today, and he is not involved in any other criminal case.

9. He further submits, on instructions imparted to him by the police official concerned, that final report has already been filed in the FIR (*supra*).

10. This Court has heard the learned counsel for all the parties concerned, and has gone through the entire case file.

11. Considering the fact that the petitioner has suffered incarceration of 03 months and 01 days as on today, and he is not involved in any other criminal case, and the final report has already been filed, coupled with the fact that all the offences are triable by a Judicial Magistrate Ist Class, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner, during the pendency of trial. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail, on furnishing of his respective bail bond and surety

bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

12. However, it is clarified that if in future, the petitioner is found indulging in commission of similar offences, as is involved herein, the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court. Moreover, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petition only.

13. All pending application(s), if any, also stand **disposed** of accordingly.

October 28, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No