



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

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**CRM-M-51732-2024
Date of Decision: 24.10.2024**

JOGENDER

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Onkar Singh Batalvi, Advocate,
Mr. Sourabh Kaushik, Advocate and
Mr. Damanjeet Singh Batalvi, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

Mr. Sunil Chaudhary, Advocate
for the complainant (through V.C.).

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to grant a regular bail to the petitioner in case FIR No.601 dated 30.11.2023 registered under Sections 409, 420, 467, 468, 471 and 120-B IPC (Under Sections 7A, 13(1) of Prevention of Corruption Act and Under Section 201 IPC added later on) at Police Station City, District Bhiwani.

2. Learned counsel for the petitioner contends that all the allegations in the present case were primarily leveled against Leela Krishan Mehta, father of the petitioner and he has expired long ago. Learned counsel further contends that now the police has falsely



involved the petitioner and all other family members by assigning them false roles. He has also placed reliance on the orders (Annexure P-2 to Annexure P-6), whereby Shubam, Tripta, Usha Rani and Bharat Ram, have been granted the concession of anticipatory bail and he further submits that the case of the petitioner is at par with the said accused persons. Learned counsel has further placed reliance on the order dated 27.09.2024 passed by the Court of Additional Sessions Judge, Bhiwani, whereby the Roshan Lal, co-accused has been granted the concession of regular bail by the trial Court. Learned counsel further contends that the petitioner has been falsely involved in two more similar cases, which were registered, just to victimize the family members of the petitioner.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner and his co-accused had cheated the victims to the tune of crores of rupees and there was sufficient evidence to prove the involvement of the petitioner in the crime. Learned counsel further submit that the petitioner is a habitual offender and is involved in several other cases. Thus, he does not deserve the concession of bail by this Court.

4. I have heard the rival submissions made by the learned counsel for the parties and perused the record.



5. No doubt, the allegations levelled against the petitioner are serious in nature and they had cheated several persons, but this Court is also conscious of the fact that the petitioner is continuing in custody since 23.06.2024. After completion of the investigation, the challan has already been presented by the police before the Competent Court of Law and the trial is yet to formally start against the petitioner. Moreover, there is no material to indicate that the petitioner is in a position to tamper with the prosecution evidence in any manner or he may abscond from the process of law. Moreover, similarly placed co-accused Shubam, Tripta and Usha Rani have already been granted the concession of anticipatory bail by this Court. Thus, the trial may take quite a long time to conclude and further custody of the petitioner will serve no meaningful purpose.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

24.10.2024

(N.S.SHEKHAWAT)

M.Sikka

JUDGE

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