



CRM-M-56012-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222)

CRM-M-56012-2024
Date of Decision : 21.11.2024

Dheeraj ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kamal Chaudhary, Advocate and
Ms. Mukta Sharma, Advocate
for the petitioner.

Mr. Bhupinder Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Section 483 of the BNSS, 2023, the petitioner prays for grant of regular bail in case FIR No.706 dated 17.11.2018 under Sections 420, 467, 468 and 471 of the IPC, 1860 (Annexure P-1), registered at Police Station Quilla Panipat, District Panipat, Haryana.

2. As per the case of the prosecution, as set up in the instant FIR, the complainant was duped for a sum of Rs.6,00,000/-, by the accused Jai Kumar, Dheeraj (present petitioner) and Pankaj, on a false assurance of securing a job for his son. Even, the present petitioner has sent a false joining letter of the sister of the complainant, through Whatsapp messenger to bring him into confidence, and later on, he has also sent the joining letter of the son of the complainant in July, 2017, through Whatsapp. Furthermore, the said

joining letter was also found to be forged.



3. On asking for the relief (supra), learned counsel for the petitioner submits that all the offences are triable by the Court of Judicial Magistrate Ist Class, and the petitioner has already suffered incarceration of more than 04 months, as on today. He further submits that though the petitioner is stated to be involved in one other case, however, the same is not of similar nature. Learned counsel next submits that the petitioner is ready to furnish heavy security bond, to ensure his presence, before the learned trial Court concerned, on each and every date. Finally, he submits that the co-accused Pankaj, has already been extended the relief of regular bail, by coordinate Bench of this Court, by drawing an order dated 07.11.2019, passed in CRM-M-46726-2019.

4. Learned State counsel on instructions imparted to him from the Investigating Officer concerned, opposed the grant of concession of regular bail to the petitioner. He has also placed on record the custody certificate dated 20.11.2024, qua the petitioner, today in the Court. The same is taken on record, which reflects that the petitioner has suffered incarceration of 04 months and 03 days, as on today.

5. This Court has heard the rival submissions, as made by the learned counsel for the parties concerned, and is of the view that the instant petition is amenable to be allowed for the reasons extracted hereinafter:-

(i) since all the offences are triable by the Judicial Magistrate Ist Class, concerned;

(ii) the petitioner has already suffered incarceration of 04 months and 03 days, as on today, and he is not required for further custodial interrogation, as the investigation in the case is already complete, and the final report stands filed on dated 05.09.2024;



*(iii) the prosecution has cited total 19 witnesses in the final report, however none has been examined, as on date;
(iv) therefore, this Court can safely conclude that conclusion of the trial would take long time and further incarceration of the petitioner would serve no useful purpose.*

6. Keeping in view the facts and circumstances of the case, this Court deems it appropriate to enlarge the petitioner on regular bail. Accordingly, the instant petition is **allowed**.
7. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/trial Court/Duty Magistrate, concerned. The petitioner is also directed to submit his passport (if he has), with the learned trial Court concerned, at the time of furnishing of his bail/surety bonds.
8. However, anything observed hereinabove shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)
JUDGE

November 21, 2024
Manpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No