

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

233

CRM-M-58202-2023

Date of decision: 08.01.2024

Vishal

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

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

Mr. Rahul Mohan, Sr. DAG, Haryana.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.280 dated 12.09.2023 under Sections 406, 420, 506 of the IPC registered at Police Station Barar, District Ambala.

2. Learned counsel for the petitioner inter alia contends that a false case has been planted upon the petitioner; a civil dispute between the parties is being given a criminal complexion and fabricated allegations have been levelled against him of luring the complainant to part with ₹2,40,000/- on the pretext of sending him abroad on work visa. Learned counsel submits that the petitioner has clean antecedents which lends credence to his innocence. It has also been submitted that since the sole material witness i.e. the complainant stands examined, further incarceration of the petitioner in the case in hand would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer

made by learned counsel for the petitioner, on instructions from ASI Jung Bahadur, has not disputed the factum of the examination-in-chief of the complainant having been recorded. He has also not disputed that the complainant is the sole material witness in the case in hand.

4. On a pointed query, learned State counsel, on instructions, has informed the Court that the petitioner is not involved in any other criminal case.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. In the facts and circumstances as enumerated hereinabove, there is no likelihood of the trial concluding in the near future. This Court, therefore, deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

08.01.2024

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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