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

CRM-M-63697-2023

Date of decision: 25.01.2024

Sanjay Satpathy

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Prem Prakash, Advocate and
Mr. Sukhwinder Singh Sudan, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.0030 dated 22.01.2021 under Sections 120-B, 405, 406, 419, 420, 463, 464, 465, 467, 468, 471, 472, 473, 474, 504 & 506 of IPC, at Police Station Gurgaon Sadar, District Gurugram.

2. As per the allegations appearing on the record, the petitioner being Director of DBM Retail Private Limited committed fraud against the complainant on the pretext of providing franchise and for that purpose, the complainant made payment of huge amount to the petitioner. During investigation of this case, the petitioner was arrested on 13.04.2023 on the

basis of the production warrant issued by the Court concerned.

3. The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. That the only allegations against the petitioner are that he induced the complainant to pay him certain amount on the pretext of providing him franchise but later on, the petitioner failed to give any franchise to the complainant. It is further submitted that another 13 cases of similar nature were registered against the petitioner in various states wherein he has been enlarged on bail except one case. It is further submitted that the case is at its initial stage and it will take considerable time for trial to conclude. So prayer is made, that the petitioner be released on bail.

4. Status report by way of Affidavit of Kapil Ahlawat, Assistant Commissioner of Police, Sadar Gurugram filed on behalf of the State is taken on record.

5. The present petition is resisted by the State counsel who submits that petitioner lured the complainant to deliver him amount of Rs.55 lacs but failed to give him any franchise. However, the State counsel has not disputed the fact that the petitioner is in custody since 13.04.2023 and the trial is at its initial stage.

6. The State counsel has not disputed the fact that in another 12 cases of similar nature, the petitioner is already enlarged on bail.

7. I have considered the submissions made by counsel for the parties.

8. All the offences triable by the Court of Judicial Magistrate, Ist Class and the petitioner is in custody since 13.04.2023 and on completion of

investigation, police presented the challan but till date charges are not framed. Even after framing of charges, it will take considerable time for trial to conclude. In the given circumstances, no purpose is going to be served by detaining the petitioner in custody for any longer period.

9. For the foregoing reasons, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned, if the petitioner is not required by the police in any other criminal case.

25.01.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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