



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

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CRM-M-60399-2024

Date of Decision : **December 19, 2024**

PARVESH RAI

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. , Advocate
for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner prays for grant of regular bail in case FIR No.450 dated 26.6.2022, Under Sections 419, 420 & 120-B IPC, registered at Police Station Sector-8, District Faridabad.
2. The allegations against the petitioner are that he is a proprietor of M/s Natural Herbal Science Company, and he alongwith other co-accused, namely, Nitin Gadge, Mohit, Suraj, Diksha, Jai Parkash and Ankit had cheated the complainant-Preetpal to the tune of Rs.36,50,000/- on the pretext of giving dealership of M/s Natuiral Herbal Science. During investigation, it reveals that the petitioner being the proprietor of the said company, had opened the bank account of the company and also affixed his photographs

on the form of the account of that company, and an amount of Rs.1,37,600/- is found to be transferred in the bank account of the petitioner.

3. Learned counsel for the petitioner in the asking for the relief (supra) submits that the offences under which the present petitioner is facing, are triable by the Court of the learned Judicial Magistrate 1st Class, whereas he has suffered incarceration of more than 6 months. He further submits that the petitioner is ready and willing to cause appearance before the learned trial Court concerned on each and every date and no further custodial interrogation is required. Finally, he submits that the investigation in the instant case has already been completed and no witness has been examined so far.

4. The learned State counsel, on the other hand, has opposed the prayer made by the present petitioner and submits that the petitioner alongwith other co-accused duped the complainant with a huge amount. He further submits that the petitioner is one of the main accused and his actual address is not known to the prosecution agency, therefore, there is a chance of fleeing the petitioner from the clutches of law. He has placed on record the custody certificate *qua* the petitioner, which is taken on record. He also submits that the petitioner is also involved in similar kind of offence and an FIR in this regard has also been registered in the State of Madhya Pradesh. Further he informs this Court after having instructions from the quarter concerned that the final report in the instant case has been filed on 3.8.2024 and till date the charges have not been framed and the prosecution has cited total 18 witnesses.



5. Be that as it may, without going into the merits of the case and considering the days of incarceration i.e. precisely 6 months and 8 days and the fact that the offences under which the petitioner is facing trial, are triable by the Court of the learned Judicial Magistrate 1st Class and the stage of the trial i.e. trial is yet to begin, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

6. The petitioner is ordered to be released on bail on furnishing of bail bonds and heavy surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate and with the further condition that the petitioner has to inform the learned trial Court concerned regarding his correct permanent address.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

December 19, 2024
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(KULDEEP TIWARI)
JUDGE

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