

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

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CRM-M-59397-2024

Date of Decision : December 03, 2024

KULDEEP SINGH

-PETITIONER

V/S

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

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

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through this petition cast under Section 483 of the B.N.S.S., the petitioner prays for him being granted the concession of regular bail, in case FIR No.146 dated 19.07.2023, under Sections 406 and 420 of the IPC, registered at P.S. Farakpur, District Yamuna Nagar.

2. Succinctly stated, the allegations embodied in the present FIR are that, the petitioner along with his co-accused cheated the complainant and her two friends, for approx. ₹ 10 lacs, on the pretext of getting them appointed in Railways Department. Moreover, the petitioner and his co-accused also issued fake appointment letters.

3. The learned counsel for the petitioner opts not to address any arguments on merits of the case, rather confines the sphere of his arguments only to the period of incarceration suffered by the petitioner, besides the stage of trial. He submits that, since the trial, which is a

Magisterial trial, is at its initial stage inasmuch as none of the 19 prosecution witnesses has yet been examined, therefore, no fruitful purpose would be served by keeping the petitioner behind the bars, who has already suffered incarceration of approx. 05 months. He also submits that, although the petitioner is involved in two more FIRs, however, mere pendency of those FIRs does not disentitle the petitioner from claiming the relief of regular bail.

4. *Per contra*, the learned State counsel vociferously opposes the grant of regular bail to the petitioner, on the ground that, the petitioner and his co-accused have cheated the complainant and her friends for lacs of rupees and have issued fake appointment letters to them.

5. Although the learned State counsel opposes the grant of bail to the petitioner, however, on instructions imparted to him by the official concerned, he verifies that the charges were framed on 18.10.2024 but none of the 19 prosecution witnesses has been examined so far.

6. This Court has heard the submissions made by the learned counsels for the parties and perused the record.

7. Be that as it may, considering the fact that: (i) as per the custody certificate dated 01.12.2024, as placed on record today by the learned State counsel, the petitioner has suffered incarceration of 05 months and 04 days till 01.12.2024; (ii) there is no likelihood of the trial, which is a Magisterial trial, concluding anytime soon inasmuch as none of the 19 prosecution witnesses has yet been examined; this Court deems it appropriate to grant the concession of regular bail to the petitioner.

Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of **heavy bail bond and surety bond** to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

8. 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 03, 2024
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(KULDEEP TIWARI)
JUDGE

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