

2025.PHHC.006845



212

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

**CRM-M-1188-2025 (O&M)
Date of decision : 17.01.2025**

Dayanand

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pawan Attri, Advocate,
for the petitioner(s).

Mr. Ashok S. Chaudhary, Addl.A.G., Haryana.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the BNSS'*) for grant of bail pending trial to the petitioner in FIR No.244 dated 19.09.2022, under Sections 406, 420, 467, 468, 471 & 120-B of the Indian Penal Code, 1860 (*for short, 'the IPC'*); and Section 24 of the Emigration Act, 1983, registered at Police Station Guhla, District Kaithal, Haryana.

2. Allegations are that petitioner, in connivance with other co-accused, duped the *de facto* complainant-Harvinder Singh to the tune of Rs.45,00,000/-, on the pretext of sending him abroad.

3. Contends that petitioner is in custody since 19.10.2022; charges were framed on 09.08.2023; and out of total 38 prosecution

2025.PHHC.006845



witnesses, only 16 have been examined till date; thus, trial is likely to take sufficient long time. Also contends that there is no other criminal case pending against the petitioner.

4. *Per contra*, learned State counsel while opposing the prayer, on instructions, submits that allegations are very serious against the petitioner who kept in his shop an amount of Rs.29,50,000/- and Cheque of Rs.5,00,000/- as surety.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 19.10.2022; charges were framed on 09.08.2023, but out of total 38 prosecution witnesses, only 16 have been examined so far; therefore, conclusion of trial may take sufficient long time. Moreover, it is not the objection of State that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial, in any manner and moreover, he is not involved in any other criminal case; thus, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

2025.PHHC.006845



9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

17.01.2025
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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