

CRM-M-2116-2025
Date of Decision:08.04.2025

...Respondents

2. The FIR in the present case was registered on the basis of the statement made by respondent No.2-complainant, wherein, she had alleged that the petitioner had cheated the complainant to the tune of Rs.25 lacs. Learned counsel for the petitioner contends that the complainant had hatched a conspiracy with her daughter and the husband of her daughter and falsely involved the petitioner. In fact, Vishal and Deepak, sons of the complainant were admitted in rehabilitation Centre of the petitioner for Drug De-addiction Centre and were provided the treatment in the Centre. The petitioner helped the complainant in withdrawing the money from the bank account and the amount was withdrawn by the complainant only. He further contends that the petitioner

was arrested in the present case on 28.06.2024 and is in custody for the last about 10 months. The investigation has already been completed and the case is now listed for prosecution evidence. He further contends that the prosecution has intentionally delayed the trial before the trial Court, just to ensure the longer period of incarceration of the present petitioner.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner has cheated a poor widow of her hardened money to the tune of Rs.25 lacs. Apart from that, the petitioner had himself withdrawn the amount and there was sufficient evidence to prove the same. However, learned counsel admit that there is no other case against the petitioner.

4. I have heard the learned counsel for the parties and perused the record.

5. Admittedly, the petitioner is continuing in custody for the last 10 months and all the offences are triable by the Court of Magistrate. The prosecution has not been able to examine even a single witness so far and the conclusion of the trial may take quite a long time.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

08.04.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No