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

CRM-M-17125-2025**Date of Decision: 28.04.2025**

Narender

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Prabhjeet Singh Sullar, Advocate, for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.
Mr. Anshul Mangla, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.213 dated 01.09.2023 registered under Sections 34, 406, 420, 468, 506 of IPC (Section 201, 120-B of IPC added later on), at Police Station Sadar Kanina, District Mahendergarh.

2. As per the case set up by the prosecution, the petitioner had allegedly cheated the complainant to the tune of Rs.24 lacs on the pretext of getting their family members recruited in Army. Learned counsel further contends that the allegations primarily pertained to the year 2019, whereas the FIR in the present case has been registered on 01.09.2023 i.e. after a lapse of more than 04 years. He further contends that in fact, the petitioner is running a physical training academy and had only provided the training in academy to the complainant side. The petitioner was wrongly arrested in the present case on 17.11.2024. He further contends that even as per the case of the prosecution, only an amount of Rs. 6 lacs was retained by the petitioner and the remaining

Rs.18 lacs were given to Krishan and Ajit Singh, both co-accused. The petitioner is in custody for the last 05 months and challan has already been presented against him. Moreover, the offences are triable by the Court of Magistrate and the prosecution has not been able to examine even a single witness. Thus, the trial Court may take considerable time in concluding the trial.

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 is involved in a serious crime. Moreover, he had cheated the three young persons to the tune of Rs.24 lacs and the petition deserves to be dismissed by this Court.

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

5. In the present case, the petitioner is stated to be in custody for the last 05 months. All the offences are triable by the Court of Magistrate and no witness has been examined so far. Thus, there is no likelihood of early conclusion of the trial.

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

28.04.2025
hemlata

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