

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

232

CRM-M-41752-2024 (O&M)  
Date of Decision:- 10.02.2025

DEEPAK KUMAR

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Mr. Mandeep Nehra, Advocate for the petitioner.  
Mr. Surender Singh, A.A.G. Haryana.

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**SANJIV BERRY, J. (ORAL)**

The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

| FIR No. | Dated      | Sections                                                              | Police Station                     |
|---------|------------|-----------------------------------------------------------------------|------------------------------------|
| 236     | 24.06.2023 | 406, 419, 420, 465, 467, 468, 471, 120-B IPC (201 IPC added later on) | Sadar Pehowa, District Kurukshetra |

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that that petitioner has not duped the complainant as has been alleged in the FIR and he is in custody since 17.08.2023. He further submits that after the completion of investigation, challan has been presented in the Court of Magistrate and the conclusion thereof will take sufficient long time

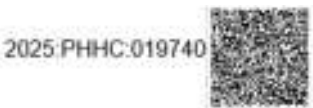


Thus prayed for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition by submitting that the petitioner along with co-accused has duped the complainant of ₹55,50,000/- by posing himself as a representative of Aadani Power Transmission Ltd. However, on a query, he has clarified that the petitioner has received an amount of ₹1.5 lakhs in his account, while ₹16 lakhs was paid in cash.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the complaint moved by Shiv Kumar alleging that in July 2021, the petitioner along with co-accused Vishnu Sadhu and Sunil Shekhawat came to him, wherein petitioner introduced himself as Representative Officer and Vishnu Sadhu as Law Officer of the Aadani Power Transmission Ltd., claiming that the company was selling some excess land at ₹ 15 lakhs per acre and they can arrange the same by taking commission of ₹3 lakhs per acre. Co-accused Vishnu Sadhu also showed the appointment letter of the petitioner as the Representative Officer of the company. It is alleged that on 14.09.2021 ₹12 lakhs was paid by the complainant and on 24.09.2021 an agreement was signed on payment of ₹18 lakhs as earnest money. Thereafter, the date for execution of the sale deed was extended further by paying ₹8 lakhs in cash and 1.5 lakhs by account transfer to the petitioner, but later they did not respond, hence the present FIR. Admittedly, the petitioner is in custody since 17.08.2023, and after the completion of investigation, challan has been presented in Court,



wherein the prosecution has cited 44 witnesses but till date none has been examined. The allegations levelled against the petitioner would only be ascertained after the conclusion of trial, which will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)  
JUDGE

10.02.2025

S.Sharma(syr)

|     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |