



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

224

CRM-M-51698-2024

Date of decision: March 11th, 2025

Hans Raj

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mitul Singh Rana, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.75 dated 20.06.2022 under Sections 409, 417, 420 of the IPC and Section 13 of The Prevention of Corruption Act, 1988, registered at Police Station Sujanpur, Pathankot.

2. Learned counsel for the petitioner submits that after the petitioner was arrested on 20.04.2024 in a case of false implication, not only is the investigation complete but even three prosecution witnesses out of the 14, which includes the most material witness i.e. the complainant also stands examined. Hence, in the circumstances, further incarceration of the petitioner would serve no useful purpose as the possibility of the trial concluding in the near future looks remote.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite has not disputed the custody period of the petitioner nor has he disputed that the star witness

in the present case i.e. the complainant stands examined and 11 prosecution witnesses remain to be examined, who however are formal in nature. Learned State counsel has further reiterated the allegations levelled in the FIR in question against the petitioner, which stands reproduced hereinunder:

“In the service of SSP Sahib Pathankot: Application letter regarding cheating and reneging on his statement letter 200000 Respected sir, it is requested that I had previously lodge a complaint at your office against Hans Raj son of Mr. Inder Kumar resident of Giddarpur, Sherpur Police Station Sujampur I have lodged a complaint No. 1099 dated 23.06.2021 on which legal action was taken and Hans Raj, admitting his mistake, came to your office and gave a statement in writing that He will give me the money (Rupees) two lakhs dated 30.09.2021 to me but despite the written statement, the money (Rupees) has not been given (copy of the statement and first application number 1099 is attached) I requested you by keeping in mind my first numbered application and regarding reneging on his statement, please take the necessary legal action against the Hansraj.”

4. Learned State counsel, on further instructions, has submitted that although the complainant stands examined, however, the complainant had supported the case of the prosecution during trial and hence, the contention of the learned counsel that it is a case of false implication is devoid of any merit.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The sole material witness i.e. the complainant stand examined along with two others. 11 prosecution witnesses still remain to be examined and the next date fixed before the trial Court is

20.3.2025 when some of the other witnesses have been summoned. There is no possibility of the trial concluding in the near future nor can there now be any risk of the petitioner intimidating/influencing the complainant.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

March 11th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No