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

CRM-M-64509-2024**Date of Decision: 05.02.2025**

Amit Kumar Tomar and another

...Petitioners

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Kawalpreet Singh Virk, Advocate
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Rohit Verma, Advocate and
Mr. Shubham Saroha, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.147 dated 23.07.2024 registered under Sections 316(2), 318(4), 338, 336(3), 340(2), 351(2,3), 61(2), 238 of BNS, 2023, at Police Station City Thanesar, District Kurukshetra.

2. Learned counsel for the petitioners contends that the petitioners were neither named in the FIR nor they were beneficiaries of the alleged money transactions in any manner. He further contends that as per his instructions, the owners of the land are still ready and willing to get the sale deed executed in favour of the complainant, but the complainant does not want to get the sale deed executed and even he only did not honor the agreement to sell. Learned



counsel further contends that the complainant has already compromised the matter with their co-accused and have already returned a sum of Rs.25 lacs to the present complainant. He further contends that a civil dispute has been illegally converted into a criminal offence and the petitioners were wrongly arrested on 19.08.2024. Further, after completion of investigation, challan has been presented against them and further custody of the petitioners are no more required for the purpose of investigation.

3. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, HQ, Kurukshetra, District Kurukshetra has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel, assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioners.

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

5. In the present case, Navdeep Singh, Amrit Pal, Jasbir Kaur and Karamjit Kaur, co-accused of the petitioners have already been granted the concession of interim bail by this Court, vide order dated 16.09.2024 passed in CRM-M-42400-2024. The petitioners are stated to be in custody for the last more than 05 months and the final report under Section 173 Cr.P.C. has already been presented against them. Moreover, the offences are triable by the Court of Magistrate and the trial Court may take considerable time in concluding the trial.



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

05.02.2025
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(N.S.SHEKHAWAT)
JUDGE

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