2025:PHHC:009140

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

CRM-M-2251-2025
Date of Decision: 22.01.2025

Rajesh …Petitioner

vs.

State of Haryana …Respondent

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

Present : Mr. Sushil Jain, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

***

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 in case FIR No.507 dated 27.10.2023 registered under Sections 420 and 120-B of IPC (lateron under Sections 467, 468, 471 of IPC were added), at Police Station City Gohana, District Sonipat.

2. The FIR in the present case was registered on the basis of the statement made by Abhishek Kumar Jain, an official from IFFCO Kisan Finance Limited. As per case of the prosecution, the petitioner alongwith his wife Anuradha had got financed 48 Tractors from IFFCO Kisan Finance Limited, Gohana through different persons and they had sold tractors to Ajay Kumar, Sushila and Ankush. Learned counsel further contends that the petitioner was the co-applicant with his wife Anuradha, who has already been admitted to bail vide order dated 17.12.2024 (Annexure P-2) passed by this Court. Learned counsel further contends that the petitioner was arrested in the

HEMLATA
2025.01.23 06:00
I attest to the accuracy and
integrity of this document

present case on 26.08.2024 and is in custody for the last about five months. The final report under Section 173 Cr.P.C. has already been presented against the petitioner and other co-accused namely Anuradha and Gagan Seth have already been admitted to bail by this Court vide orders (Annexures P-2 and P-3 respectively).

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. It is not in dispute that all the offences in the present case are triable by the Court of Magistrate and the petitioner has already suffered incarceration of almost five months. After completion of investigation, challan has been presented against the petitioner and the trial is not likely to conclude in near future. Moreover, two co-accused, namely, Anuradha and Gagan Seth have already been admitted to bail by this Court, vide orders (Annexures P-2 and P-3 respectively).

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

22.01.2025
hemlata

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

HEMLATA
2025.01.23 06:00
I attest to the accuracy and
integrity of this document