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

CRM-M-63604-2024

Date of Decision: 07.01.2025

Raman Kumar

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Baldev S. Sidhu, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

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.0023 dated 21.03.2024 registered under Sections 420, 467, 468, 471 of IPC, at Police Station Shahpurkandi, District Pathankot.
2. The FIR in the present case was registered on the basis of the statement made by Vijay Kumar son of Maan Singh and the same has been reproduced below:-

“To SSP Sahib Pathankot, Subject:-Application against Raman Kumar (Mob.9915211344) son of Sh. Husan Lal R/o village Chabbewal Tehsil and District Hoshiarpur for taking Rs. 12,00,000/- and cheating by alluring to get govt. service to the applicant's sons. Sir, it is requested on the above subject I Vijay Kumar S/o Sh. Maan Singh is permanent R/o village and post office Ranipur, Tehsil and District Pathankot. Above mentioned Raman Kumar son of Sh. Husan Lal has higher approached in



Punjab Govt. has taken Rs.12,00,000/-in lieu of getting govt. services to my sons Gaurav Satwalia and Parteek. From the above amount Rs. 5.00 Lacs were given by bank transaction and Rs.7.00 Lacs cash in the presence of Balram Singh S/o Sh. Babu Ram R/o of Jugiyal Colony Pathankot but my sons were given a forged appointment letter of service and by contacting him time and again, he has not given any appointment of govt. service nor returned my amount. For a long time he is only saying to return the money but now he has refused. I am in possession of a Audio Recording as a proof of talking about returning my amount and I have also bank transaction record which I can produced before you. Now the accused has refused to written my money and threatening me by saying whatever you want to do can do. So, it is requested that a stern action be taken against the accused and get my amount returned. Sd/- Vijay Kumar. Vijay Kumar son of Maan Singh.”

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved by the police at the instance of the complainant. In fact, there were certain financial transactions between the parties and the FIR has been wrongly registered against him. He further contends that the petitioner was wrongly arrested in the present case on 29.09.2024 and is in custody for the last more than 3 months. After completion of investigation, challan has already been presented against the petitioner. The charge was ordered to be framed against the petitioner on 04.01.2025 and since the case is triable by the Court of Magistrate, there are no chances of early conclusion of the trial.
4. 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.

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

6. In the present case, the petitioner is stated to be in custody for the last more than 3 months and the charge has been ordered to be framed against him on 04.01.2025. Thus, apparently, the trial may take quite a long time and further custody of the petitioner will not serve any purpose. Moreover, the petitioner is the first offender and was never involved in any other criminal activity.

7. 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.

07.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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