

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-10615 of 2015 (O&M)

Date of Decision: 21.4.2015

Rajiv Mehan

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Bipan Ghai, Sr. Advocate with
Mr. V.S. Virk, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No.221 dated 14.11.2013 under Sections 177, 420, 465, 467, 471 I.P.C., registered at Police Station, Division No.5, Ludhiana.

Learned counsel for the parties have been heard.

The present petitioner is stated to be the sole proprietor of M/s Shreyas International, Ludhiana. Allegations, primarily are with regard to having wrongfully claimed a refund of Rs.74 lacs with regard to garments and hosiery items exported to Bangladesh. F.I.R was registered on the allegations that the documents furnished to claim such refund were fake and false.

Learned senior counsel has submitted that during the course of investigation the documents/I.Ds were got verified and it was found that the same were in the name of one Brij Lal, who in turn is the proprietor of M/s Garg Wool Store as also M/s Jaldhara Cotspin Pvt. Ltd. Counsel has further adverted to the statement of account pertaining to M/s Shreyas

International at Annexure P-4 and from where it is reflected that on 3.5.2013 an amount of Rs.44 lacs stands credited to the account of M/s Jaldhara Cotspin Pvt. Ltd. by way of R.T.G.S. It has, accordingly, been contended that the allegations with regard to export of the relevant material having not been done and a refund having wrongfully claimed would be unfounded.

Learned State counsel upon instructions from ASI Dharam Pal would apprise the Court that investigation in the present case having been completed the challan was presented on 13.4.2014.

Petitioner has been in custody since 12.2.2015. The offences are triable by a court of Magistrate.

Without making any observations on merits, the present petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Ludhiana.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 21, 2015
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