

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

CRM M-36945 of 2015.

Decided on: 15.12.2015

Pawan Kumar @ Shanty

..... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Veneet Sharma , Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN.J.(ORAL)

In response to the order dated 28.11.2015, the status report reflecting the chart of the witnesses/victims and the amounts that have been cheated, has been filed in the Court. The same is taken on record.

As per para-4 of the reply, Satwant Singh and Harjinder Singh, have shown at serial No.1 and 13 respectively. Satnam Singh who invested Rs.1,12,500/- and Harjinder Singh who allegedly invested Rs.1,50,000/- in the company i.e. Aurum India Marketing Private Limited headed by Mr.R.K.Verma and his wife, Kamal Khan and one Mr.Anis.

It is contended in the affidavit of Sh.Satnam Singh that he has no grouse against the petitioner and similar is the statement of Harjinder Singh in respect of the petitioner. It is further submitted that the said similar situated person who had been once declared as proclaimed offender but later on they were declared innocent during the investigation. It is further submitted that

entire amount collected by the petitioner has been credited in the Company headed by Sh.R.K.Verma and his wife and one Sh.Anis. It is further submitted that police is not arresting the main accused i.e. Sh.R.K.Verma and his wife, Sh.Anis and Kamal Khan.

Learned counsel for the State submits that there are specific allegations against the petitioner and the co-accused Sh.R.K.Verma and his wife, Kamal Khan one Sh.Anis and they have been declared as proclaimed offender.

There is no dispute that petitioner is an employee of the company headed by Sh.R.K.Verma and his wife, Kamal Khan and Anis Ahmad. It is further contended that as no incriminating evidence could be collected against the petitioner as reflected in (Annexure P-2) the inquiry report dated 19.11.2013, prepared by Commissioner of Police, Amritsar City, the petitioner was accordingly declared innocent. The same was further approved in terms of the inquiry report dated 10.02.2014 and subsequently in another inquiry report dated 05.10.2012 prepared by Commissioner of Police, Amritsar, the petitioner was declared innocent. Challan stand presented.

It is conceded fact that the petitioner is in custody. The FIR was registered on 12.09.2009. The trial is not likely to conclude in near future. As such, petitioner be released on regular bail to the satisfaction of CJM, Amritsar.

However, the evidence on record suggests that the State is shielding the main accused. The report, detailing the efforts made by the State for arresting the co-accused be furnished to the Registry of this Court within 6 weeks from today.

(JITENDRA CHAUHAN)
JUDGE

15.12.2015
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