

**IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.**

TAPINDER SINGH MANN
20/03/2016 11:44

Cr. Misc. M 1271 of 2016
Date of decision:- 14.3.2016

Goga Suniara @ Karnail Singh and anr

Petitioners

vs.

State of Punjab

Respondent

Present: Mr. AK Khunger, Advocate
Ms. HK Athwal, DAG, Punjab

M.M.S.BEDI,J.

The petitioners seek the concession of pre-arrest bail in a case registered at the instance of Vidya Devi alleging that she has started a committee with the petitioners for total sum of Rs. 1 lac. The period of deposits expired in August, 2015 but she was not paid the amount due.

Counsel for the petitioners submits that SSP Faridkot had got the matter inquired into and arrived at a conclusion that the dispute was regarding transactions of money between the parties and that the dispute is of civil nature.

With the assistance of learned State counsel and ASI Satpal, I have gone through the police file. No doubt the statements of Badam, Sultan and Urmila Devi have been recorded to the effect that the petitioners had been indulging in the committees i.e. collection of money and disbursement of the same to the members but the documentary evidence regarding handing over the money to the petitioners has not yet been gathered. It will certainly be a debatable issue during the course of trial whether it is a case of only civil liability or a combination of civil and criminal liability depending upon the intention of the petitioners from the beginning. The petitioners have joined the investigation.

Accordingly, the petition is allowed and it is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the condition that they will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation.

March 14 ,2016
TSM

(M.M.S.BEDI)
JUDGE

