

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

CRM-M-14443-2016 (O&M)

Date of decision : 12.05.2016

Rajesh Kumar @ Makhan

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Kulbhushan Raheja, Advocate and
Mr. Nitin Narula, Advocate
for the petitioner.

Mr. Mehardeep Singh, Additional AG, Punjab and
Mr Luvinder Sofat, AAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'Cr.P.C.') seeking regular bail in case FIR No.255 dated 07.09.2015, registered under Sections 420, 406, 467, 468, 471 and 120-B of the Indian Penal Code (for short, 'the IPC') and Sections 3 and 4 of the Prevention of Money Laundering Act, 2012, at Police Station City Barnala.

It is contended that the petitioner himself is a victim at the hands of the Jagjit Singh alias Laddi, Managing Director of Crown Company, the main accused as the petitioner also purchased 3000 units of the company against the payment. The petitioner is in custody since 21.09.2015. The learned counsel contends that the entire amount received from the investors on behalf of the Company stands credited in the accounts of the Company. During the pendency of the present petition, the father of the petitioner has expired and there is no male member in the family to take care of the daughter who is of marriageable age and a minor son. Challan has already been presented. Charges are yet to be framed.

On the other hand, the learned State counsel opposes the instant bail petition.

Keeping in view the fact that similarly situated co-accused of the petitioner, namely, Kewal Krishan, Lalit Kumar, Partap Singh @ Vijay Kalra and Manjit Singh have already been granted the concession of regular bail by this Court; the petitioner is custody in this case since 21.09.2015 and no amount received from the investors on behalf of the Company was retained by the petitioner, and it is a magisterial trial, this Court feels that the

petitioner cannot be kept in custody for an indefinite period.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything stated hereinabove shall not be construed as an expression of opinion by this Court on the merits of this case.

12.05.2016
hemlata

(JITENDRA CHAUHAN)
JUDGE