

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

CRM No.M-15833 of 2016 (O&M)

Date of decision: 02.06.2016

Shiv Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ravish Bansal, Advocate for the petitioner.

Mr. Aditya Sanghi, Addl.A.G., Punjab
assisted by HC Naib Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.255, dated 07.09.2015, registered under Sections 420, 406, 465, 467, 468, 471, 120-B IPC and Sections 4 & 5 of Prevention of Money Laundering Act, 2012, at Police Station City Barnala, District Barnala

It is contended that the petitioner has been falsely implicated in two FIRs being agent of M/s Crown Company. He refers to Annexure P-4, wherein in the connected FIR, the petitioner has been enlarged on bail, vide order dated 21.04.2016. He further states that the petitioner acted for and on behalf of M/s Crown Company and the entire amount received by him credited in the accounts of the company.

The petitioner is also one of the investors in the company. The Managing Director of the company in the connected FIR has undertaken to repay the amount to the investors allegedly taken by the petitioner.

On the other hand, the learned State counsel submits that the petitioner is involved in another FIR and there is no proof that the amount received by him was credited in the account of the company.

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

Considering the facts that the petitioner has been admitted to bail in FIR No.42 dated 01.09.2015, wherein the similar allegations have been raised and the Managing Director of the Company has been admitted to interim bail by this Court, vide order dated 27.05.2016 and keeping in view the fact that the petitioner is in custody since 19.09.2015 and it is a magisterial trial; the challan stands presented, therefore, in the circumstances, the petitioner cannot be kept in indefinite incarceration, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

02.06.2016

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(JITENDRA CHAUHAN)
JUDGE