

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

(201)

CRM-M-20581-2015

Decided on: November 10, 2016.

Amarjit Gupta

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vivek Aggarwal, Advocate, for
Mr. Tarunvir Singh Khehar, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

On the instructions of Inspector Inderpal Singh, learned State counsel has contended that the petitioner has though joined the investigation but has not cooperated to enable the investigating agency to fairly investigate the matter regarding the assets of the petitioner as the details of the companies in which he has utilized the disproportionate assets have not been disclosed. The minutes of meeting and other financial transactions and correspondence pertaining to the shares etc., are yet to be recovered.

With the assistance of learned counsel for the petitioner and learned State counsel, I have gone through the questionnaire which was put to the petitioner for providing answers in which he was required to produce documents pertaining to the companies i.e. Spectra Real Estates Pvt. Ltd, C.G. Properties and Investments Pvt. Ltd and C.G. Properties Pvt. Ltd for seeking information regarding transmission of shares of father of his wife Uma Gupta.

After hearing learned counsel for the petitioner as well as learned State counsel, I am of the considered opinion that the documents which are sought to be recovered by the investigating agency, can be obtained from the Registrar of the Companies.

The investigation in the present case pertaining to disproportionate assets is based upon the documents which will not warrant the detention of the petitioner.

The petition is allowed. It is ordered that in case of arrest of petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the following conditions:

- (1) Petitioner will join investigation as and when required;
- (2) Petitioner will not tamper with the evidence or hamper the investigation in any manner;
- (3) Petitioner will produce the documents required by the investigating agency, in case sought for, in accordance with the procedure of law; and
- (4) Petitioner will not leave India without the permission of the Court during pendency of the trial.

(M.M.S. BEDI)
JUDGE

November 10, 2016
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No