

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

CRM No.M-21793 of 2016 (O&M)

Date of decision: 28.07.2016

Jaswinder Singh Kaler and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Dhaliwal, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab
assisted by HC Naib Singh.

Jitendra Chauhan, J. (Oral)

CRM-22770-2016

Allowed as prayed for, subject to all just exceptions.

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By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in case FIR No.84, dated 09.09.2015, registered under Sections 406, 420, 120-B, 467, 468, 471 IPC and Sections 4 & 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, at Police Station Tapa Mandi, District Barnala.

The learned counsel for the petitioners contends that petitioners were agents of crown company. The Managing Director of the company, namely Jagjit Singh @ Ladi had undertaken to discharge his liability including the present FIR. The similarly situated co-accused were

also granted the concession of bail by this Court. The petitioners are in custody since 19.09.2015.

The learned State counsel, on instructions, fairly states that the case of the petitioner is covered by the undertaking made by main accused, Jagjit Singh @ Ladi.

Heard.

Considering the fact that the main accused Jagjit Singh @ Ladi along with other directors of the company have undertaken to discharge liability involved in the present FIR and it is a magisterial trial; the challan stands presented, therefore, in the circumstances, the petitioners cannot be kept in indefinite incarceration, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of the trial, on their 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.

However, in case the main accused Jagjit Singh @ Ladi failed to discharge his liability on or before 22.09.2016, the police shall be free to re-arrest the petitioners.

28.07.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No