

CRM-M-26594-2016

Date of decision: 11.08.2016

Ashok Sood

....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Ms. Puja Chopra, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

Petitioner has been in custody w.e.f. 18.06.2016 in a case registered on the basis of secret information that co-accused Rohit Jain, Parveen Kumar Arora, Sanjay Gupta, in connivance with each other, had opened an agency of Mahindra Company in the name of Modern Motors under the garb of which they prepared fake documents of the purchase of the new cars and obtained loan from different banks and misappropriated amount of loan fraudulently. So far as the petitioner is concerned, he was the alleged owner of Modern Motors.

A perusal of the order passed by the Additional Sessions Judge, Ludhiana shows that the petitioner has been declined concession of bail solely on the ground that without consent of the company, he could not hand over its management of dealership to any other person and that said circumstance should be considered as a serious factor for declining bail.

Learned counsel for the petitioner informs that three days police remand had been obtained but no recovery was effected and thereafter, petitioner has been in judicial custody.

I have gone through the police file. Name of the petitioner is not mentioned in the FIR and there is no specific allegation of any victim having been caused wrongful loss by any act of the petitioner.

Keeping in view the fact that the petitioner has been in custody w.e.f. 18.06.2016, he can be granted the concession of bail. Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

(M.M.S.BEDI)
JUDGE

August 11, 2016
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Whether speaking/reasoned:

Yes/ No

Whether reportable:

Yes/ No