

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH.

CRM M-32696 of 2015

Date of Decision: February 15, 2016

Parveen Pushkar

.....Petitioner

Vs.

State of Haryana

.....Respondent

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

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Present:- Mr.N.S. Shekhawat, Advocate  
for the petitioner.

Mr. C.S. Bakshi, Addl.A.G., Haryana.

Mr. Aman Arora, Advocate for the complainant.

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

Petitioner seeks the concession of regular bail in a case registered at the instance of Sanjay Kaushik, Senior Regional Manager of Hindustan Petroleum Corporation Limited alleging that while petitioner was working as Senior Manager of the said Corporation he connived with accused Nitin Sharma (dealer) and Poonam Puri, Computer Operator and played a fraud with the Corporation by misappropriating Rs.49.41 lacs against upliftment of LPG cylinders of the complainant. The cheques issued

by Nitin Sharma in favour of the Corporation after presentation and entering in the computer were allegedly returned by Poonam Puri, Computer Operator resulting in loss of Rs.7.16 crores which remain unpaid by the accused Nitin Sharma.

On asking of the Court, it has been informed that the main accused Poonam Puri has not yet been arrested. Nitin Sharma is in custody. His application for bail has already been dismissed by this Court.

Grant of bail to the petitioner has been opposed mainly on the ground that he has connived with Nitin Sharma whose petition for bail stands dismissed.

I have heard learned counsel for the petitioner and I am of the opinion that Nitin Sharma and Poonam Puri appear to have played main role in the misappropriation of the amount of the complainant Corporation. The liability of the petitioner and his connivance with co-accused would be established on the basis of the evidence produced during the course of trial. Petitioner being not the main accused and having been in custody w.e.f. April 27, 2015; challan having already been presented; three witnesses having been examined, in the interest of justice, the petitioner can be released on bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court subject to the condition that he will not, in any manner, hamper the

trial and will not leave India without the permission of the Court during the period of trial.

February 15, 2016  
sanjay

(M.M.S.BEDI)  
JUDGE