

CRM-M-34150-2014

Date of Decision : 30.08.2016

Keshav Mahajan

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Ms. G.K. Mann, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. G.S. Gopera, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner apprehends arrest in a case registered at the instance of 11 complainants alleging that the petitioner along with his other co-accused i.e. the Directors of Prachi Gas Bottling Pvt. Ltd., Mumbai had duped the complainants.

So far as the petitioner is concerned, the role attributed to him is that he had been working as Distributor for Punjab State in north zone and his co-accused Gulshan Bhagat was appointed as Secretary to look after the business of dealers in Punjab and in connivance with Ramesh Pandey, one of the Directors of Prachi Gas Bottling Pvt. Ltd., Mumbai had issued certain cheques which were later bounced.

With the assistance of learned State counsel and Sub-Inspector Naresh Kumar, I have gone through the police file and find that during the course of investigation, at one stage, the petitioner had been found innocent but the said report appears to have not yet been

finalized.

On asking of the Court, Sub-Inspector Naresh Kumar has informed that pursuant to the interim orders, the petitioner had joined investigation on 21.01.2015. Later on, despite the protection granted by this Court, he was never asked to appear.

It is not out of place to observe here that a sum of more than Rs.2 crores has been deposited by the Directors of Prachi Gas Bottling Pvt. Ltd., Mumbai with the Registry of this Court to secure the rights of the dealers of said company. The petitioner in said circumstances, can be granted the concession of pre-arrest bail.

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

- 1) Petitioner will join investigation on receipt of a written notice by the investigating agency, as and when required.
- 2) He will not leave India without the permission of the Court.
- 3) He will not tamper with the evidence or hamper the investigation in any manner.

The above said order is subject to the finalization of the report regarding the innocence of the petitioner.

(M.M.S. BEDI)
JUDGE

30.08.2016

Neha

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No