

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

(213)

CRM-M-3606-2016

Decided on: February 12, 2016.

Rajwinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Sandeep Arora, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. Prateek Pandit, Advocate, for the complainant.

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

Petitioner seeks concession of regular bail in a case registered at the instance of Tarsem Singh working as Senior Manager in the insurance department of M/s Lovely Autos, Jalandhar alleging that the petitioner along with Tilak Raj had been working as Insurance Executives with M/s Lovely Autos, Nakodar Road, Ambedkar Chowk, Jalandhar and while working at aforesaid posts, they collected insurance premium from different customers for getting insurance policies issued from the office of the complainant during the period of July, 2014 to July, 2015 and misappropriated the amount received by them against invoices issued.

Learned counsel for the petitioner has submitted that the complainant company has falsely implicated the petitioner on account of the demand of commission amount of the petitioner regarding work done by the petitioner and his co-accused having been raised by the petitioner.

Learned counsel for the complainant has intervened to oppose application for bail contending that the petitioner has cheated the complainant company.

With the assistance of learned counsel for the complainant and learned State counsel, I have gone through the police record and I am of the opinion that the evidence collected during course of investigation in the form of documents is not sufficient enough to arrive at a conclusion till date that any wrongful loss has been caused to the complainant company or that the petitioner has pocketed some amount which was required to be paid to the complainant company. The petitioner has been in custody w.e.f. 10.12.2015. The police remand was granted but no recovery was effected from the petitioner and he has been in custody from the above said date.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate without prejudice to the right of the complainant to recover any amount, if any, misappropriated by the petitioner in the capacity as an agent of the insurance branch of the complainant company.

Nothing said in this order will affect the merits of the case.

(M.M.S. BEDI)
JUDGE

February 12, 2016
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