

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

**CRM-M No.37809 of 2016**  
Date of decision: 3<sup>rd</sup> November, 2016

Parmeshwar Dayal Lakhani

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. R.S. Rai, Senior Advocate with  
Mr. Kunal Dawar and Mr. Jagjot Singh, Advocates  
for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana  
for the respondent/State.

Mr. Sandeep Goyal and Mr. Pardeep Goyal, Advocates  
for the complainant.

**FATEH DEEP SINGH, J. (ORAL)**

Mr. R.S. Rai, Senior Advocate assisted by Mr. Kunal Dawar and Mr. Jagjot Singh, Advocates on behalf of the petitioner in the light of orders dated 26.10.2016 has today handed over to Mr. Sandeep Goyal, Advocate representing the complainant six demand drafts bearing No.450972-77 all dated 02.11.2016 drawn on Axis Bank Ltd. for a total sum of Rs.11,80,115/- (photostat copies of which have been placed on the record) and thus, a total amount of Rs.16,80,115/- stands paid to the complainant and the petitioner has shown his bona fide of making good the monetary loss to the other side.

Allegations against the petitioner Parmeshwar Dayal Lakhani, one of the Directors of M/s Lakhani India Limited, in this anticipatory bail application filed under Section 438 Cr.P.C. in a case registered by way of FIR No.349 dated 19.06.2015 at Police Station Mujesar, District Faridabad under Sections 406/409 IPC are that he usurped the provident fund of employees which was to be deposited on behalf of the employer amounting to Rs.33,60,230/-.

In the light of what has been stated before this Court on 26.10.2016 which was conceded to at the bar by learned State counsel as well as Mr. Sandeep Goyal and Mr. Pardeep Goyal, Advocates representing the complainant, on behalf of the petitioner to show his bona fide, in all a sum of Rs.16,80,115/- has been paid. In view of the same and the fact which is duly conceded to that it is not a case of custodial interrogation and nothing is to be recovered from the petitioner, and the documents are available with the concerned Department as well as the Liquidator as the Company is stated to be under liquidation, impels this Court to allow the prayer made.

In view thereof in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation as and when called for and shall furnish an undertaking that he shall abide by the conditions specified under Section

438 (2) Cr.P.C. Thereafter, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

**(FATEH DEEP SINGH)**  
**JUDGE**

**November 3, 2016**

*rps*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |