

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

(218)

CRM-M-38575-2016

Decided on: December 12, 2016.

Tara Chand

.... Petitioner

Versus

State of Haryana

..... Respondent

(2)

CRM-M-38596-2016

Decided on: December 12, 2016.

Om Parkash

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. C.M. Munjal, Advocate,
for the petitioner in both the petitions.

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

Mr. Jagjit Gill, Advocate, for the complainant.

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

This order will dispose of two applications for grant of regular bail, one (CRM-M-38575-2016) filed by Tara Chand and the other (CRM-M-38596-2016) filed by Om Parkash, in a case registered at the instance of Satya Narayan Gupta alleging that the petitioners along with other co-accused induced the complainant and one Balvir for becoming dealer of gas agency on payment of a sum of Rs.33 lacs to the complainant with allurements to earn huge profits. The petitioners in connivance with others had allegedly issued forged appointment letters and asked the complainant to construct a godown. The petitioners allegedly committed breach of agreement by ceasing to supply the gas cylinders and by not returning the

money paid by the complainant. The complainant claims that he has been duped of a sum of Rs.63 lacs.

Without expression of any opinion on merits, it is sufficient to observe here that petitioner Tara Chand has been in custody w.e.f. 02.07.2016 and petitioner Om Parkash has been in custody w.e.f. 21.07.2016. No doubt, the culpability of the petitioners along with their co-accused and their liability to repay the amount, is also subject matter of the civil suit which has been filed by the complainant against the petitioners and Rameshwar. The culpability of the petitioners is co-extensive with Rameshwar and others.

Taking into consideration the period of detention suffered by the petitioners, challan having been presented, they can be granted the concession of bail.

Both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that the petitioners will not leave India without the permission of the Court and surrender their passport with the trial Court. In case, they claim that they do not possess any passport, they would furnish an affidavit and give an undertaking to that effect before the trial Court before their release on bail.

(M.M.S. BEDI)
JUDGE

December 12, 2016
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No