

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

237

CRM-M-4218-2016

Date of Decision: February 16, 2016

RAJU SHARMA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

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

Present: Mr.Kunal Dawar, Advocate for the petitioner.

Mr.G.S.Salwara, DAG, Haryana.

Mr.Sanjeev Kumar Panwar, Advocate for the complainant.

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

The petitioner has been in custody w.e.f. 11.9.2015 in a case registered at the instance of Vijay Kumar proprietor of M/s A.P.Mullefer Services, Faridabad alleging that the complainant company is engaged in services of supplying of man power business. The petitioner worked for the said company as Supervisor. The allegation against the petitioner is that it was his duty to recruit workers and disburse their salary. He had allegedly been given a sum of Rs.9,65,000/- and Rs.2,56,000/- for distribution of salaries to the workers of M/s New Allenberry Works but he had disbursed only Rs.35,020/- towards salary of workers and neither returned the balance amount nor disbursed the same to the employees. He had left the Company on 18.8.2015.

Counsel for the petitioner submits that the petitioner worked for the complainant company for 15 years. He having left the job against the wishes of his employer, has been involved in a false case.

Counsel for the complainant has intervened to oppose the bail application contending that petitioner has embezzled a huge amount as such he can be granted bail only in case he returns the amount.

I have gone through the police record which indicates that statements of four witnesses have been recorded to the effect that their salary has not been paid. Challan has already been presented. Petitioner has been in custody w.e.f. 11.9.2015. The trial is likely to take long time. No useful purpose will be served by keeping the petitioner in custody any longer.

Without prejudice to the right of the complainant to recover the amount in accordance with law, petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the trial Court.

February 16, 2016
TSG

(M.M.S.BEDI)
JUDGE