

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH.

Cr. Misc. M-6135 of 2016

Date of decision: March 11, 2016

Rajiv Puri

.....Petitioner

Vs.

State of Haryana

.....Respondent

Present: Mr. R.S.Rai, Sr. Advocate with
Mr. Anurag Arora, Advocate for the petitioner.
Mr. G.S. Salwara, DAG, Haryana.

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

The petitioner seeks the concession of regular bail in a case which was registered on the basis of an order passed under Section 156 (3) Cr.P.C. by the CJM on the complaint of Sanjay Kaushik, Senior Regional Manager, leveling allegations against the dealers and the officials of the Company of the complainant that the accounts/ computer system had been manipulated to cover the deficit bank balance regarding the shortage of Rs.49.41 lacs. The petitioner was not named in the complaint submitted before the Court but during the course of investigation disclosure statement of Nitin Sharma was recorded to the effect that the petitioner was working with HPCL and had given ID and password of his computer to the said

accused to facilitate the crime. The incident is of period prior to July 2010. The investigation continued for a period of about 5 years. Challan was presented on October 29, 2015 and the petitioner was arrested on September 9, 2015.

I have heard learned counsel for the petitioner and the State counsel.

State counsel on the instructions of SI Sumit Singh has submitted that the petitioner in connivance with his sister who was working as Data Entry Operator, had committed the fraud by which Company has been put to wrongful loss of more than Rs.7 crores.

I have considered the entire circumstances of the case and I am of the opinion that the petitioner has been involved in the case on the basis of the disclosure statement of accused Nitin Sharma. In view of co-accused of the petitioner Parveen Pushkar having been granted concession of bail by this Court and the nature of the evidence gathered against the petitioner till date, he can be granted the concession of bail.

It is not out of place to observe here that the State counsel has contended that the petitioner had connived with his sister in committing the crime but his sister has not been arrested till date.

The custody of the petitioner cannot be prolonged during the pendency of the trial after presentation of challan merely on the ground that

his sister is yet to be arrested. The petitioner in above said circumstances can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court subject to the condition that the petitioner will not leave India without the permission of the Court.

March 11, 2016
sanjay

(M.M.S. BEDI)
JUDGE