

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

***CRM No.M-715 of 2016 (O&M)
Date of decision : 29.03.2016***

Amit Solanki

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rakesh Dhiman, Advocate for the petitioner.

Mr. Deepak K. Grewal, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.338 dated 12.11.2014, under Sections 420/467/468/471/120-B IPC, registered at Police Station Rajendra Park, Gurgaon District Gurgaon.

Counsel for the parties have been heard.

Allegations in a nutshell against the present petitioner who is stated to be the owner and proprietor of Competent Buildcon Infrastructure Private Limited and other co-accused are with regard to having misappropriated a sum of Rs.51 lacs from various complainants on the pretext of offering them flats.

Petitioner was arrested on 08.05.2015.

During the course of arguments, it has gone uncontroverted that out of the total amount of Rs.51 lacs, a sum of Rs.32 lacs already stands returned to the complainants.

It would be apposite to take note that in CRM No.M-42235 of 2015 preferred by co-accused, Arun Kumar seeking concession of anticipatory bail, an undertaking has been furnished that even the balance

amount of Rs.19 lacs would be made over to the complainants within a period of 4 weeks.

Investigation in the present case is complete. Challan stands presented and even charges have been framed.

Learned State counsel has apprised the Court that out of 14 prosecution witnesses cited, only 5 have been examined till date. The trial as such would take time to conclude.

In the totality of the circumstances and without making any observations on merits, petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Gurgaon.

Disposed of.

29.03.2016

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE