

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

CRM M-16195 of 2017 (O&M)

Date of decision: 26.05.2017.

Rajesh Kaushik

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjay Vashisth, Advocate
for the petitioner.

Mr. Arun Kumar, AAG Haryana
assisted by ASI Om Parkash.

Jitendra Chauhan, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.138 dated 22.06.2016, registered under Section 407 of the Indian Penal Code, (for short, 'the IPC') at Police Station Badhra, District Charkhi Dadri.

Duly sworn affidavits of Anup Sharma and Shankar Singh Parmar partners of Bhardwaj Transport Corporation have been placed on record on behalf of the petitioner. The same are taken on record. As per the affidavits, the partners of the transport corporation have undertaken that if any compensation amount is awarded for the death of Purshotam son of Sumer, the same would be payable by Bhardwaj Transport Corporation in case the insurance company is absolved by

learned Motor Accidents Claims Tribunal. The petitioner is in custody since 16.04.2017. It is further stated that the complainant has already moved a complaint before the Consumer Forum regarding the damage to the vehicle.

On the other hand, the learned State counsel states that the act of the petitioner amounts to criminal breach of trust, therefore, the present petition deserved to be dismissed.

Heard.

Considering the fact that the challan stands already presented, the petitioner is in custody since 16.04.2017, he is not involved in any other FIR, charges have yet not been framed, therefore, the conclusion of trial will take a long time, and in view of the undertaking given on behalf of Bhardwaj Transport Corporation, it is ordered that the petitioner be released on bail on his furnishing bail bonds and surety bonds by two local sureties to the satisfaction of trial Court/Duty Magistrate concerned.

26.05.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No