

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

CRL. MISC. No.M-22213 OF 2017
DATE OF DECISION : 6th JULY, 2017

Vinod Dubey @ Vinod Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. J. S. Bedi, Senior Advocate with
Mr. Vineet Sehgal, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

Mr. Harneet Singh Oberoi, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.294 dated 29.12.2016 registered under Sections 406, 420 & 120-B IPC at Police Station City Rajpura, District Patiala.

Upon hearing learned counsel for the rival parties including counsel for the complainant, I find that there are debatable issues in the present case. The petitioner was arrested on 27.05.2017 and is in jail since then.

The main grievance made by learned counsel for the complainant is that he has lost an amount of ₹24,00,000/- (Rupees twenty four lacs only) due to the cheating/fraud by the petitioner.

Learned counsel for the petitioner makes categorical statement that the amount of ₹24,00,000/- (Rupees twenty four lacs only)

about which the complainant is worried, shall not be touched and accordingly he will submit a letter to the concerned bank that the amount of ₹24,00,000/- (Rupees twenty four lacs only) shall be freezed and shall not be withdrawn by anybody and the bank shall give interest as per rules.

In my opinion, since the arbitration proceedings in relation to the present subject matter are pending and since the care has been taken to protect the interest of the complainant, there is no point to detain the petitioner as under trial. The case is triable by the Magistrate and involves number of facts, documents and evidences, disposal of which will take considerably long time. In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-22213 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the CJM/Duty Magistrate, Patiala, subject to the condition as stated above regarding freezing of amount of ₹24,00,000/- (Rupees twenty four lacs only)
- (iii) The petitioner shall not tamper or influence the prosecution witness(es).
- (iv) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

6TH JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No