

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-23014 of 2017
Date of Decision: 07.07.2017**

Miraj Ahmad

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr.Amandeep Chhabra, Advocate
for the petitioner (s).

Ms. Seema Arora, Advocate
for Mr. C.M. Munjal, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.560 dated 23.07.2016 registered for offences punishable under Sections 420, 406, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Sector 55, Faridabad.

Heard.

Notice of motion.

On asking of the court, Mr. Amrik Narwal, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

FIR was registered on the complaint of Legal Head of Surendra Group against Bhanwar Singh and his wife, namely, Meenu Bhanwar Singh for committing fraud of amount of ₹1 crore with complainant.

The petitioner is also an employee of Surendra Group. He has been nominated in this case on the statement of Bhanwar Singh, who has stated that cheques of more than ₹20 lacs were siphoned from the account of Surendra Group in the account of his wife in collusion with petitioner and two other persons, who were employees of Surendra Group.

Admittedly, no recovery was effected from the petitioner and allegations against him are of conspiracy, which are based on disclosure statement of Bhanwar Singh. It is a matter to be seen by the trial Court as to how much value is to be attached to disclosure statement of Bhanwar Singh in order to prove the charges against the petitioner.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Miraj Ahmad is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

July 07, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No