

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

**Crl. Misc. No.M-24462 of 2017 (O&M)
Date of Decision: September 26, 2017**

Naveen Jindal

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Robin Singh Hooda, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G. Punjab.

Mr. RVS Chugh, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.42 dated 18.03.2017 registered for the offences punishable under Sections 420 read with Section 120-B of Indian Penal Code, at Police Station Civil Lines, Bathinda, District Bathinda.

Heard.

Learned State counsel on instructions from ASI Manjeet Singh submits that petitioner was General Secretary of KIPS Educational Society which was running KIPS Education Centre. Complainant has approached the society for coaching and paid fee for ETT course for the Session 2009-

2010. She cleared the course with impression as projected by the Education Society that it was a recognized Centre. However, later on when she qualified the exam for her employment, it was found that course being run by KIPS Education Centre was not a recognized course. This fact came to her knowledge in the year 2016.

Learned counsel for the petitioner submits that though the petitioner was General Secretary of the trust he had no concern with the KIPS Education Centre. During investigation, no document has been collected by the police to show that KIPS Education Centre was being run by the petitioner.

Learned counsel for the complainant has placed on file an affidavit given by one Vijay Gulati, who was Manager of KIPS Education Centre during the period from 2008 to 2010, wherein he stated that the owners of KIPS Education Centre were Mr. Anil Jindal and Mr. Naveen Jindal.

The issue in this case is as to whether the course of ETT being run by KIPS Education Centre was recognized course or it was not recognized by any University. The entire case is based on documentary evidence for which custodial interrogation of petitioner is not required.

Keeping in view the above facts but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 18.07.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make

any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;

- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

September 26, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***