

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

CRM-M-30009-2017 (O&M)
Date of decision : 27.11.2017

Narinder Kumar Bajpai

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Kiran Bala Jain, Advocate,
for the petitioner.

Ms. Dimple Jain, AAG, Haryana,
assisted by ASI Baljeet Singh.

Mr. Gourav Verma, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.203 dated 27.07.2016, registered under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code, at P.S. Ladwa, District Kurukshetra.

Contents that the co-accused with similar allegations have already been released on bail. The petitioner is in custody since 30.09.2016. The offences alleged are triable by Magistrate.

On the other hand, learned State counsel, on instructions, submits that the petitioner being an employee of complainant, embezzled more than Rupees sixty five lakh and transferred the amount in the accounts of the fake firms created by him and the funds were ultimately credited in his own account. The petitioner is not similarly situated as against his co-accused and the petitioner admitted his liability and issued a cheque which was subsequently dishonoured. She further informs that the trial is in

progress and the complainant stands examined.

Heard.

Considering the facts that it is a Magisterial trial; the petitioner is in custody since 13.09.2016; material witnesses including the complainant have already been examined; the co-accused have already been admitted to bail; and the material witnesses including the complainant already stand examined; this Court is inclined to accept the prayer.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. The petitioner shall also surrender the passport, if any, held by him.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No