

224 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34332 of 2017(O&M)
Date of decision: November 30, 2017

Devender Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Ms.Tanisha Peshawaria, DAG, Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.41 dated 20.01.2015, under Section 406 IPC (Sections 420, 201, 120-B IPC added later on), registered at Police Station Sector 7, District Faridabad, Haryana.

The challan has been filed. I have seen the impugned order Annexure P-2. As per allegations of the prosecution, the main accused is Mukesh Kumar Singh, proprietor of M/s Shree Sudershan Communication, who is stated to have misappropriated/committed fraud to the tune of Rs.17 crores with the Electricity Organization, DHBVNL. As far as the petitioner is concerned, he was an employee under him for some time. The petitioner was arrested on 11.01.2017. Since the case is triable by Magistrate, looking to the limited role attributed to the petitioner and further to the fact that the main accused has not been released on bail and rightly so, I think that there is no point in detaining the petitioner any more.

In that view of the matter the petitioner is ordered to be released on bail subject to the following conditions:-

- (i) The **CRM-M-34332 of 2017** is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (iv) Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.
- (v) In case, the petitioner violates the above said conditions, this order of bail comes to an end automatically without reference to this Court.

(A. B. CHAUDHARI)
JUDGE

30.11.2017
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No