

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-39113 of 2017
Date of decision:30.10.2017

Unnat Marwaha

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. S.S.Panag, Advocate
for the petitioner.

Mr. Vaibhav Narang, Advocate
for the complainant.

Mr. Manreet Singh Nagra, AAG, Punjab.

AMIT RAWAL J. (Oral)

Petitioner seeks benefit of regular bail pending trial in case FIR No.338 dated 23.06.2008, under Sections 420 and 120-B of the IPC registered at Police Station Civil Lines, Amritsar.

Concededly, the petitioner was declared Proclaimed Offender in the aforesaid FIR but now has been arrested and is in jail for the last 45 days. As per the allegations in the FIR, the complainant had made the payment of ₹4,20,000/- and ₹45,000/- vide cheques dated 28.07.2017. As per the document, draft dated 23.09.2008 (Annexure P-2), has been prepared in name of complainant for a sum of ₹4,45,000/-.

Counsel for the complainant did not controvert the aforesaid

receipt of ₹4,45,000/-.

This Court called upon the State counsel to show the alleged contract entered into between the petitioner and complainant. The file brought by ASI, has been seen but there is no such agreement. Though the agreement is between the complainant and Reliance and there are separate terms and conditions with regard to payment.

Without commenting on the merits and de-merits of the matter, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner is ordered to be released on bail subject to furnishing of bail bonds to the satisfaction of the trial Court/Duty Magistrate, Amritsar.

(AMIT RAWAL)
JUDGE

October 30, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No