

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Criminal Misc. No. M-5692 of 2017 (O&M)

Date of decision : May 08, 2017

Mohd. Yunus Maniar @ Yusuf Petitioner

VERSUS

State of Punjab Respondent

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

PRESENT: Mr. Arvind Kashyap, Advocate, for the petitioner.
Ms. Rajni Gupta, Additional Advocate General, Punjab.

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1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO
2. To be referred to the Reporter or not? YES/NO
3. Whether the judgment should be reported in the digest? YES/NO

Per A.B. Chaudhari, J.

By the present petition, the petitioner seeks regular bail in case F.I.R. No.95 dated 07.07.2006 under Sections 406, 420, 467, 468, 471, 120-B, Indian Penal Code, Police Station Amloh, District Fatehgarh Sahib.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. No money was received by him from the accused persons named in the FIR and he is in custody since 16.08.2016. At any rate, learned counsel for the petitioner relied upon the decision in the case of Sanjay Chandra vs. CBI, 2011 (4) RCR (Criminal) 898, and

submitted that the relief of bail be granted in the light of the said decision.

I have heard the learned counsel for the rival parties at length. I have also perused the reply filed by the State in connected case i.e. Satnam Singh vs. State of Punjab (CRM M-37671-2016).

The sum and substance of the reply filed by the State in connected case (CRM M-37671-2016) against the petitioner is as under:-

“5. That it is respectfully submitted that on 13.08.2016 the supplementary statement of the complainant Harpreet Singh was recorded who stated that he has come to know that the owner of Mega Fine Agro Concept Ltd., Mumhai was a person namely Mohammad Yusuf Munniar. He also informed that the Chairman of the society namely Suchait Multipurpose Cooperate Society, Mamdot, District Ferozepur was a person namely Amarjit Singh. It was also stated by him that a person namely Ashok Kumar alias Gola was the main agent of Mega Fine Agro Concept Ltd., Mumbai, who had also taken the money of the investors. Accordingly, on the basis of the supplementary statement of the complainant the persons namely Mohammad Yusuf Munniar, Amarjit Singh and Ashok Kumar alias Gola were nominated as the accused vide case diary no. 8 dated 13.08.2016.”

In view of the reply, it is clear that the petitioner was owner of the company-Mega Fine Agro Concept Ltd., Mumbai, which is alleged to be involved in duping gullible investors of crores of rupees. The decision in the case of Sanjay Chandra (supra), has no application in the present case. Petitioner does

not deserve to be granted bail.

In the result, the petition is dismissed.

May 08, 2017
Kang

(A.B. CHAUDHARI)
JUDGE