

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
203**

CRM-M-12318-2018

Date of decision:21.04.2018

Mohd. Meraj

...PETITIONER

Vs.

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Aarohi Bhalla, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for grant of regular bail in FIR No. 430 dated 03.08.2017, registered under Sections 406/420/467/120-B IPC at Police Station Model Town, District Rewari.

It is the contention of the learned counsel for the petitioner that the petitioner was never the Managing Director of Sai Samriddhi Group of Companies, as a matter of fact, he was only an Additional Director of the Firm. For this contention, he places reliance upon the appointment letter issued to the petitioner (Annexure P-3). His further submission is that the petitioner has resigned from the Company on 09.05.2016, which is more than one year prior to the registration of the FIR. The resignation of the petitioner was duly accepted on 10.06.2016 (Annexure P-5). The petitioner

sent a letter dated 06.09.2016 informing the Registrar of Companies, Punjab and Chandigarh that despite he having resigned from the post of Additional Director and his resignation having been accepted by the Board of Directors of the Company, the name of the petitioner still was being reflected on the website of the Company. He contends that none of the bonds, which are alleged to have been issued, have been signed by the petitioner. His submission is that the petitioner was arrested on 03.10.2017 and is in custody since then. He states that the charge has been framed but none of the 20 cited witnesses have been examined till date. He further states that the trial is not likely to conclude in near future and, therefore, he prays that the petitioner be granted the concession of regular bail.

Counsel for the State, on the other hand, on instructions from ASI Karan Singh, Police Station Model Town, Rewari, could not dispute the factual assertions, as made by the counsel for the petitioner with regard to the stage of the trial, however, he states that the petitioner, as per the allegations in the FIR, is the Managing Director of the Company. The petitioner, in his disclosure statement, had stated that he has signed the bonds and he was the authorized signatory of the account of the Company. He, therefore, prays that the petitioner be not granted the concession of regular bail.

I have considered the submissions made by the counsel for the parties and keeping in view the assertions of the counsel for the petitioner as also the fact that the petitioner is in custody since 03.10.2017 with no witnesses having been examined till date, the trial is not likely to conclude in near future, the present petition is allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of

the trial Court.

Any observations made here-in-above shall have no bearing on
the merits of the case in any manner.

April 21, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No