

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

CRM-M-13725-2018 (O&M)

Date of decision: 17.04.2018

Gurwinder Singh

... Petitioner

Vs.

U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. APS Deol, Senior Advocate with
Mr. H.S. Deol, Advocate for the petitioner.

Mr. A.K. Lamdharia, Addl. P.P., U.T. Chandigarh.

Mr. Gurpreet Singh, Advocate for the complainant.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.280, dated 03.09.2017, under Section 408 IPC, registered at Police Sector-17, Chandigarh.

Counsel for the parties have been heard at length.

Complainant is a company running under the style and brand name of Woodland and which runs a chain of stores dealing with footwear, clothing and accessories.

Present petitioner was stated to be the Store Manager of A to Z Fashions, Sector-17, Chandigarh.

Allegations in a nutshell are that the present petitioner in conspiracy and connivance with co-accused, Sahil Kapoor, Regional Sales Manager has engaged in fraudulent activities inasmuch as having withdrawn salary against the head of temporary employees having been engaged during

the period of sales being organized by the complainant party and whereas such temporary staff had never been engaged. In other words, prosecution version is that funds were siphoned of the complainant/company by raising forged vouchers indicating engagement of temporary staff.

During the course of arguments, it has gone uncontroverted that insofar as the present petitioner is concerned, 10 vouchers have surfaced reflecting withdrawal of a sum of Rs.1,05,000/- approximately.

Petitioner was arrested on 10.03.2018.

Petitioner has already faced incarceration for a period of almost 5 weeks.

In the considered view of this Court, no useful purpose would be served by keeping the petitioner in custody any longer.

It is not the case made out on behalf of the Investigating Agency that petitioner, if granted, benefit of bail, would be in a position to hamper the course of a free and fair investigation.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Disposed of.

17.04.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |