

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

CRM-M-17286-2018 (O&M)

Date of Decision:-13.9.2018

Dalip Kumar Verma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.

The petitioner Dalip Kumar Verma seeks his release on regular bail in respect of a case registered against him vide FIR No.114 dated 30.3.2014 under Sections 406, 409, 420 read with Section 120-B of Indian Penal Code, 1860 at Police Station Sadar Gohana, District Sonapat, Haryana.

As per the FIR lodged at the instance of Sunita Devi, the petitioner Dalip Kumar Verma is Director of Prachi Gas Bottling Private Limited, and was into business of supplying gas cylinders to distributors, dealers and ultimately to the consumers. It is the case of prosecution that the firm in question while nominating dealers used to take huge license fee as well as security fee running in several lakhs and that although initially the firm used to supply cylinders in question to the complainant but subsequently despite having taken huge amount the cylinders were not supplied. It is thus alleged that complainant- Sunita Devi, Proprietor of

It has been submitted by learned counsel for the petitioner that the matter in question is purely in the nature of civil dispute and that it was on account of increase in the prices of gas by the Government and that dispute arose between the consumers and dealers of the petitioner's firm due to which the supplies were disrupted. Learned counsel has further submitted that the petitioner is in fact facing trial in about 100 odd cases of similar nature lodged by various dealers and wherein he has been released on bail in majority of the cases. The learned counsel in this context has drawn attention of this Court to orders passed in identical cases against the petitioner which have been annexed as Annexure P-3 to Annexure P-5. Learned counsel has today also shown a compilation of about 13 orders passed by trial Courts in identical cases wherein the petitioner has been ordered to be released on bail wherein the amount involved was between ₹ 52 lakhs to ₹ 2.5 crores.

On the other hand while the aforesaid position of grant of bail is several other identical cases has not been disputed by the learned State counsel, it has been submitted that in view of the huge amount involved in the entire scam wherein a large number of dealers, distributors and consumers have been cheated, the petitioner does not deserve concession of bail.

Having considered rival contentions addressed before this Court, I do find that the amount involved in the present case as well in identical cases is huge but the investigation and the trial seems to be proceeding at snail's pace. The petitioner was arrested on 31.5.2017. None of the 14 prosecution witnesses has since been examined. The challan in the present case was presented on 19.7.2017. Although the FIR in the

present case was registered way back in the year 2014, it was only in July, 2017 that the challan has been presented. The conclusion of trial, in its normal course, is likely to take some time. The petitioner in other identical cases has already been released on bail. In my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner – Dalip Kumar Verma is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate Sonapat.

This petition stands accepted accordingly.

13.9.2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No