

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

CRM-M-37012-2018

Date of Decision:-10.10.2018

Dalip Kumar Verma and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Radhika Verma, Advocate for
Mr. Aditya Sanghi, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioners-Dalip Kumar Verma and others seek their release on regular bail in respect of a case registered against them vide FIR No.483 dated 18.12.2014 under Sections 420/120-B of Indian Penal Code, 1860 at Police Station Civil Lines, District Amritsar, Punjab.

The allegations in the present FIR lodged at the instance of complainant-R.M.Chauhan, are that the petitioner, Dalip Kumar Verma, who is a Director and others who are Managers of Prachi Gas Bottling Private Limited, were 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- R.M. Chauhan, Proprietor of M/s R.M. Gas Services was cheated of an amount of ₹32,00,000/-.

Ms. Radhika Verma, Advocate, learned counsel for the petitioners has submitted that the matter in question is in the nature of a civil dispute and that it was on account of increase in the prices of LPG by the Government that dispute arose between the consumers and dealers of the petitioners' firm due to which the supplies were disrupted. Learned counsel has further submitted that the petitioners are in fact facing trial in a large number of identical FIRs lodged by various dealers and wherein they have 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 petitioners which have been annexed as Annexure P-3 to Annexure P-5. Learned counsel has today also shown orders passed by trial Courts in identical cases wherein the petitioners have been ordered to be released on bail.

On the other hand while the aforesaid position of grant of bail in 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 petitioners do not deserve concession of bail.

Having considered rival submissions addressed before this Court, I do find that the amount involved in the present case as well in identical cases is colossal but the investigation and the trial seems to be proceeding at snail's pace. Till date not even a single witness has been examined out of cited 18 prosecution witnesses. The conclusion of trial, in its normal course, is likely to take some time. The petitioners in other identical cases have already been released on bail. In my opinion, no fruitful purpose would be served by further detaining the petitioners behind bars. Accordingly, petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate Amritsar.

This petition stands accepted accordingly.

(GURVINDER SINGH GILL)
JUDGE

10.10.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No