

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

CRM-M-40177-2018 (O&M)

Date of Decision: 11.10.2018

Dalip Kumar Verma and Ors

...Petitioners

vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aditya Sanghi, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN,J

Prayer in this petition is for grant of regular bail to the petitioners in case FIR No. 04 dated 14.01.2016, under Sections 420/406 and 120-B IPC, registered at Police Station Bagowal, District Kapurthala, Punjab.

The allegations in the FIR, registered on a complaint given by complainants-Karnail Singh and Amarjit Kaur, are that on seeing the advertisement, floated by the petitioners and other co-accused for giving the gas agency/dealership, the complainant approached the petitioners for obtaining the dealership license and after completing all the formalities and obtaining certificates from the concerned departments, the complainants alleged to have paid the petitioners a total sum of Rs.1,35,00,000/- from time to time for allotment of two gas agencies, however, only one dealership i.e. Block Bhogpur, District Jalandhar was allotted. It was further alleged by the complainants that after six months of allotment of the dealership, the petitioners started harassing the complainants and stopped

the supply of the cylinders and/or cylinders with less gas or filling with the water were being supplied to increase the weight of the cylinders and, thereafter, close the supply thereof, causing huge financial loss and harassment to the complainants and customers.

Counsel for the petitioners submits that a number of FIRs have been registered against the petitioners with similar allegations. Referring the orders passed by various Courts (Annexures P3 (colly), P4 and P5 (colly)), he further submits that in majority of the cases, the petitioners have been granted concession of regular bail either by this Court or by the High Court of Rajasthan and even by the trial Court. He further submits that, in fact, after allocation of the gas agency, one lot of gas cylinders was supplied to the complainant but on account of increase in the price of the Liquefied Petroleum Gas (LPG), there was a dispute between the petitioners and the complainant regarding increased rate and the FIRs have been registered by the complainant and similarly situated dealers.

Counsel for the petitioners further submits that the petitioners are in custody since 14.05.2018; challan has been presented; offences are triable by the Court of Magistrate and the conclusion of the trial will take long time as charges are yet to be framed.

Learned State counsel has submitted that since the petitioners are involved in a number of cases, registered at different places, thus, they do not deserve the concession of bail and sought dismissal of the present petition.

Without commenting anything upon the merits of the case, considering the fact that the conclusion of the trial will take some time; challan has been presented; charges are yet to be framed and the petitioners

have already been granted the concession of regular bail in similar identical cases, no purpose will be served by keeping the petitioners in judicial custody. Therefore, the present petition is allowed and the petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ARVIND SINGH SANGWAN)
JUDGE

11.10.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No