

**Sr. No.212
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-43401 of 2017 (O&M)

Date of Decision: 20.04.2018

Jagbir Singh

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. B.S.Jaswal, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Kulvir Narwal, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.130 dated 19.05.2017, under Sections 408, 420 (later on added Sections 467, 468, 471, 120-B) of IPC, registered at Police Station Civil Lines, Bhiwani.

Complainant is Jagmohan Motors Limited a Maruti Dealership essentially based in Rohtak and having Sub Dealership in various cities in the State of Haryana.

Allegations insofar as the present petitioner is concerned are that while serving with the complainant Company on the post of General Manager (Finance) Bhiwani Branch has siphoned out and misappropriated a huge sums of money.

As per prosecution version, modus operandi was that

about 09 cars brand new and 48 old cars were sold and the sale proceeds were not deposited.

Further allegation is that the petitioner had claimed such vehicles to be financed through Mahindra Finance whereas the Finance Company has refuted such claim.

Yet another allegation that has come forth is that petitioner has pocketed certain money which was in the nature of incentives given by parent Maruti Company and in favour of certain categories of persons including Professionals, Government Officials, Doctors etc. The claim towards such head has been assessed to be Rs.31 lacs approximately.

Petitioner was arrested on 10.08.2017.

Investigation in the case is complete. Challan stands presented and even charges have been framed.

Trial is stated to be at the initial stage and would take time to conclude.

It is a case based on documentary evidence.

It is not the case made out on behalf of the State or the complainant Company that the petitioner if granted benefit of bail would be in a position to hamper the course of a free and fair trial and would be in a position to intimidate and threaten the prosecution witnesses.

It may also be noticed that co-accused Chander Pal and against whom there were similar allegations pertaining to the Sub Dealership at Charkhi Dadri has been granted benefit of bail by a Coordinate Bench of this Court vide order dated 12.10.2017 in

CRM No.M-34177 of 2017.

In view of the above and without making any observations on merits and coupled with the length of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

20.04.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No