

CRM-M-55703-2018

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

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Date of Decision: 21.12.2018

Ravi Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sandeep Singh Ghangas, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.708 dated 11.09.2017, registered at Police Station Civil Lines, Hisar, under Sections 406, 420 and 34 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the version of complainant, he met the present petitioner who is running a company in the name of M/s Ram Agro in Pune. He told the complainant that he has also established a company in Russia with Russian friend under the name of Mangustin Company Ltd. Saint Petersburg Russia. As per the case of complainant, his company entered into a contract with the

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Russian Company specially agreeing for the terms of payment as mentioned in the said contract. It is also stated that in terms of the aforesaid contract, the complainant arranged for the fruit Kinnu and sent first two containers to the Russian Company on 23.12.2016. Thereafter, the complainant sent three more containers to the company. However, the amount was not paid to the complainant. The complainant met the present petitioner-Ravi Kumar in Russia where he had transferred \$ 9800 US Dollar in the account of complainant and assured that he will make entire payment within two days, but later on, the accused have refused to make the payment.

Challan has already been presented. The petitioner has been in custody since 16.07.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

21.12.2018

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

(INDERJIT SINGH)

JUDGE

Yes

No