

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

CRM-M-1461-2019
Date of decision:12.04.2019

Malkiat Singh Mann

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Deepak Bhardhwaj, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.166 dated 03.08.2018 under Sections 406, 420, 120-B, 201 of the Indian Penal Code (Sections 120-B and 201 IPC added later on), Police Station, Urban Estate District Patiala.
2. The FIR came to be lodged at the instance of Sudershan Kumar wherein it has been alleged that Kuldip Singh Mann, Jaswinder Singh Mann and Malkit Singh Mann all sons of Jagtar Singh had got huge money invested in the Company under the name of M/s Alpine Agriculture Land Developers Limited and had promised lucrative returns but no such returns were made and rather they had usurped the entire investments.
3. Learned counsel for the petitioner has submitted that although he is named in the FIR but he is not Director of the aforesaid Company

and has been falsely implicated in order to pressurize his brother Jaswinder Singh Mann, who is Director of the Company in question.

4. Opposing the petition, the learned State counsel has informed that an amount of ₹14,13,753/- has been usurped by the accused and that the present petitioner was actively involved in M/s Alpine Agriculture Land Developers Limited and was looking after Pehowa Branch of the Company. It has further been informed that the petitioner has been behind bars since 23rd August, 2018 and that although challan had already been presented but as on date only 2 PWs out of cited 18 PWs have been examined.
5. Having regard to the facts and circumstances of the case and while bearing in mind the custody period of the petitioner and also that till date only 2 PWs out of cited 18 PWs have been examined, in my opinion no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such is accepted and petitioner 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 concerned.
6. The present petition stands accepted accordingly.

(GURVINDER SINGH GILL)
JUDGE

12.04.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**