

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

CRM-M No. 7716 of 2019
Date of decision : March 19, 2019

Parbodh Bhatia and another

..... Petitioners

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. KS Derabassi, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG Punjab

Ajay Tewari, J (Oral)

The petitioners seek grant of regular bail in case FIR No.0062,
dated 27.3.2018, registered under Sections 420, 467, 468, 471, 406, 408,
120-B of the IPC, at Police Station Sohana, District SAS Nagar.

On the last date, the following order was passed :-

“ Counsel for the petitioner states that the complainant Avtar Singh is not appearing to give his testimony and on the last date bailable warrants were issued against him and on the other hand the petitioner was languishing in jail for the last almost 1 year.

Learned Deputy Advocate General states that before deciding this bail application, it would be in the interest of justice, if the complainant Avtar Singh be examined and on instructions from ASI Balwinder Kumar she undertakes that the complainant would definitely appear on the next date which is stated to be 15.03.2019.

Adjourned to 19.03.2019.”

Counsel for the petitioners has stated that the complainant appeared on 15.3.2019 but did not have the necessary record. The matter was again adjourned to 18.3.2019 but even on that date evidence of the complainant could not be recorded for want of record. The petitioners have been in custody since 3.4.2018 and it is a case triable by Magistrate.

Learned DAG Punjab, on instructions from ASI Om Parkash, has accepted these factual assertions but has argued that the petitioners have duped lots of people of their money and have misappropriated about ₹ 4 crores.

Be that as it may, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioners, I do not deem it appropriate to deny the concession of regular bail to the petitioners.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 19, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No