

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

1. CRM-M-11696-2019 (O&M)
CRM-M-11722-2019 (O&M)
CRM-M-11899-2019 (O&M)
Date of decision : 30.10.2019

Parmod Bhardwaj

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M-13194-2019 (O&M)
CRM-M-13591-2019 (O&M)
CRM-M-11714-2019 (O&M)
Date of decision : 30.10.2019

Rakesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Subhash Godara, Advocate for the petitioner
(In CRM-M-13194-2019, CRM-M-13591-2019 and
CRM-M-11714-2019)

Mr. Chander Mohan Sharma, Advocate for the petitioner
(In CRM-M-11696-2019, CRM-M-11722-2019 and
CRM-M-11899-2019)

Mr. Anmol Malik, AAG, Haryana alongwith SI Satyawan.

Mr. Vikas Bishnoi, Advocate for complainant/respondent No.2
(In CRM-M-11722-2019 and CRM-M-13194-2019)

ANIL KSHETARPAL, J. (ORAL)

By this order, CRM-M-11696-2019, CRM-M-11722-2019, CRM-M-11899-2019, CRM-M-13194-2019, CRM-M-13591-2019 and CRM-M-11714-2019 shall stand disposed of, as counsel for the parties are agreed that all these petitions can be disposed of by a common order.

Petitioners pray for bail pending trial in different FIRs.

Allegations are similar in nature. As per case of the prosecution, petitioners were working in Urban Cooperative Bank, Hisar and they had floated Hisar Friends Cooperative N.A.T.C. Society Limited. Certain depositors deposited the amount in the society which was further given as loan on higher rate of interest. Allegations are that amount of ₹8,42,00,000/- approximately, has not been repaid to the depositors.

Learned counsel for the State submits that amount of ₹33,00,000/- has been refunded.

Investigations are complete. Final report qua petitioners has been submitted. Petitioners are in custody from November, 2018. Thus, all the petitioners are in custody for the last 11 months approximately.

On a pointed question, learned counsel for the State admits that there are no allegations of siphoning or embezzlement of funds.

Learned counsel for the petitioners submits that because of non-recovery of the loans, the Society fell in financial crunch resulting in failure to repay the amount to the depositors. He further submits that property of the accused has already been attached.

Learned counsel for the petitioners also submits that first date for recording of evidence of the prosecution was 19.08.2019 and in other case, 05.08.2019 and as per Section 437(6) of Cr.P.C., petitioners are entitled to bail as prosecution has failed to conclude its evidence.

Be that as it may. Case is triable by the Magistrate. Petitioners are in custody for 11 months. Their immovable property has already been attached.

In view thereof, the petitioners are directed to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, all the present petitions are allowed.

Learned counsel for the State, however, prays that learned Magistrate be directed to conclude the trial.

Keeping in view the prayer made, learned Magistrate is directed to make sincere efforts to conclude the trial within a period of one year.

30.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No