

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

216

CRM-M-24336-2019(O & M)
Date of Decision:29.10.2019

Akhil Parmar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Rampal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Pankaj Kundra, Advocate for
Mr. Deepak Sabherwal, Advocate
for the complainant.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.371 dated 01.11.2017, under Sections 406, 420 and 120-B IPC, 1860, registered at Police Station Zirakpur, District SAS Nagar, Punjab.

The prosecution case is that accused persons took scaffolding and shuttering material on hire basis from the complainant and agreement in this regard was also duly entered into between the parties on 19.05.2017.

Thereafter, accused persons paid ₹29,76,539/- to the complainant against hire charges but they did not pay the remaining due amount of ₹22,99,390/-.

The accused persons allegedly misappropriated the scaffolding and

shuttering material of the complainant worth ₹4,95,60,000/-.

Learned counsel for the petitioner contends that the investigation of the case is complete as the final report stands filed on 29.05.2019. He further contends that charges have been framed on 05.07.2019. It is further pointed out that the complainant has compromised the case with the co-accused of the petitioner and a petition for quashing of the FIR on behalf of the said accused is pending before this Court.

On the other hand, learned State counsel assisted by ASI Baljinder Singh has opposed the bail application. However, he does not dispute this fact that the charges have been framed.

Learned counsel for the complainant does not dispute this fact that the compromise with some of the co-accused of the petitioner has been arrived at and the petition for quashing of FIR is pending before this Court.

After hearing learned counsel for the parties, this Court finds that further custody of the petitioner may not be necessary, as the trial is likely to consume considerable time. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

29.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No