

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

CRM-M-34898-2019 (O&M)

Date of decision : 03.12.2019

Rajesh Kumar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab
alongwith ASI Dharmjit.

ANIL KSHETARPAL, J. (ORAL)

Petitioners pray for grant of bail pending trial in a criminal case arising from FIR No.16 dated 28.03.2019 registered under Sections 406, 420, 120-B of the Indian Penal Code read with Section 76 of Chit Fund Act, 1982, at Police Station Sujanpur, District Pathankot.

As per case of the prosecution, petitioners were managing committees (a group of person pool with periodical resources after receiving appropriate profit for one person who intend to get the amount. The amount of profit is determined on open bidding inter se the members and reduces with the passage of time). It has been alleged that the petitioners have embezzled a sum of ₹1,23,00,000/-.

Learned counsel for the State, on instructions from ASI

Dharmjit, has submitted that petitioners are not alleged to be involved in any other case. Investigations are complete. Police report as required under Section 173 Cr.P.C. has been presented.

Co-accused of the petitioners has already been granted concession of pre-arrest bail vide order dated 28.05.2019 passed in CRM-M-18299-2019.

Without commenting on the merits of the case and keeping in view the facts that the case is triable by the Magistrate, petitioners are in custody since 29.03.2019 and the conclusion of the trial is likely to take time as the prosecution evidence has not started, 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, the present petition is allowed.

03.12.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No