

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

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IN VIRTUAL COURT

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**CRM No. 11105 of 2020 in/and
CRM-M No. 1176 of 2020
Date of decision : 21.5.2020**

Gobind

.....Petitioner

Vs.

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. K.L. Saini, Advocate, for the petitioner

Mr. Munish Sharma, AAG, Haryana

Rajbir Sehrawat, J. (Oral)

CRM No. 11105 of 2020 :

This is an application for preponement of the main case, which is fixed for 17.7.2020.

For the reasons mentioned in the application, the same is allowed.

The main case is taken up on board today itself for disposal.

Main case :

This petition has been filed by the petitioner under Section 439 of Cr.P.C. for grant of bail pending trial in case FIR No. 57 dated 14.10.2019, registered under Sections 408, 420, 467, 468, 471 and 120B IPC, at Police Station Industrial Area, Bhiwani.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. The name of the petitioner is not even mentioned in the FIR. His name cropped up only through the statement of the main accused Gaurav, who alleged that the petitioner was working as a salesman in the agency of the complainant. However, there is not even any evidence to show that the petitioner was ever employed as a salesman there. Still further, it is submitted that the co-accused of the petitioner, including the main accused Gaurav, have already been released on bail. The petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State, being instructed by DSP Virender Singh, submits that the name of the petitioner has surfaced in the disclosure statement of the main accused Gaurav. Still further, it is pointed out that since the petitioner was working in close contact of Gaurav, therefore, in conspiracy, the customers of agency were directed to deposit the amount directly in the account of the petitioner. In the process, the petitioner has got Rs.3.48 lakhs in his account; deposited by the customers directly. Still further, it is submitted that, of course, the other accused have been granted bail, however, they have been directed to deposit the respective amounts with the trial Court.

In response to this, learned counsel for the petitioner submits that subject to the outcome of the trial, the petitioner is also ready to deposit an amount of Rs.3.48 lakhs with the trial Court.

In view of the above, but without commenting upon the merits of the case, but subject to the deposit of an amount of Rs.3.48 lakhs with the trial

Court, the present petition is allowed. It is ordered that the petitioner be released on bail pending trial on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

However, it is clarified that the petitioner shall be released from custody only after the above said amount is deposited with the trial Court.

(RAJBIR SEHRAWAT)
JUDGE

21.5.2020
Ashwani

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