

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16160-2020 (O&M)

Date of Decision: 08.07.2020

Dalip Kumar Verma and others

... petitioners

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Aditya Sanghi, Advocate for the petitioners.
Mr. Randhir Singh Thind, DAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

The petitioners have prayed for grant of regular bail in case FIR No.365, dated 27.9.2014 registered under Section 406/420/120-B of IPC registered at Police Station City Patti, Tarn Taran, Punjab.

Briefly, the FIR has been registered on the allegations that the petitioners are running the business in the name and style of Prachi Gas Bottling Private Limited indulging in supply of gas cylinders to various distributors and dealers. The complainants were appointed as dealers/distributors by the petitioners on taking huge amount on account of licence fee and security fee. The supply was made for a period of about two years and subsequently, the supply of gas cylinders was stopped.

It has been stated by learned counsel for the petitioners that the supply was stopped on account of increase in price at the level of the Government and on that score the dispute arose between the petitioners and the distributors/dealers. About 110 FIRs have been registered against the petitioners in the States of Punjab, Haryana, Himachal Pradesh and Rajasthan. It has also been stated that in almost all the cases, the petitioners have been released on bail vide different orders passed by the Co-ordinate Benches of this Court. It has also

been stated that the petitioners have been acquitted in 35 cases and in about 5 to 6 cases they have been convicted and the appeals are pending before the Court of Sessions. Moreover, in 3 different cases of similar nature, the petitioners were also granted bail vide order of this Court dated 12.3.2020.

The petitioners were arrested on 26.10.2019, investigation of the case is complete and the challan has already been presented.

Learned State counsel has not disputed the factual aspect of the matter as projected by learned counsel for the petitioners. Learned counsel has further stated that the magnitude of fraud in the instant case is to the tune of Rs. 2.25 Crores.

Although, the magnitude of fraud is stated to be quite high but it remains a fact that the petitioners have been granted bail in the similar cases which have been registered against them vide different orders passed by this Court. Copies of such orders have also been placed on record. Custodial interrogation of the petitioners is over. Moreover, the offences are triable by the Court of Judicial Magistrate First Class.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioners may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

08.07.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No