

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-32855-2020 (O&M)
Date of Decision:- 26.10.2020

Paramjit Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.C.Shahpuri, Advocate, for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.118, dated 4.8.2020, Police Station Sadhaura, District Yamuna Nagar, under Sections 406, 420, 506 IPC (Sections 468 and 201 IPC added later on).
2. The FIR in question was lodged at the instance of Naveen Aggarwal wherein it has been alleged that he is working for M/s Bhole Baba Milk Food Industries which manufactures Ghee and milk powder and that the said company has been supplying its products through Super

Stockists. It is alleged that the company had been supplying its products to M/s Jaswant Singh and sons of District Yamuna Nagar through Super Stockists and the company had been taking payments qua the consignments so delivered and that it was only after receipt of payment of the earlier consignment that the next consignment used to be dispatched. It is alleged that during lockdown period, the said firm did not make the requisite payments and payments in respect of two of its bills for amounts of ₹4, 80, 250/- and ₹3, 82, 500/- were due and although the complainant had been continuously asking Paramjit Singh of firm Jaswant Singh and sons for making the payments but the same had not been made and rather said Paramjit had been threatening to kill the complainant.

3. Learned counsel for the petitioner has submitted that it was on account of certain financial constraints that the payments could not be made in time during the lockdown period and in fact the business of the firm was being looked after by Iqbal Singh brother of the petitioner who somehow passed away during the lockdown period i.e. on 17.5.2020 and it was thereafter that the petitioner started looking after the business of his firm regularly. The learned counsel has further submitted that the matter in any case is of civil nature and has been amicably resolved between the parties and that in these circumstances the petitioner deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in FIR and there are specific allegations against him of having withheld the amount of the

complainant and having issued threats to kill him, no case for grant of bail is made out. The learned State counsel has however feigned ignorance about the alleged compromise amongst the parties.

5. I have considered rival submissions addressed before this Court. Keeping in view the nature of allegations which are broadly to the effect that certain payments in respect of the material supplied by the complainant had not been made during the lockdown period and while noticing that the petitioner as on date has been behind bars since the last more than one month, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

October 26, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No