

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

Sr. No.204

CRM-M-52201-2019

DATE OF DECISION: May 22, 2020

JATINDER JAIN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 88 dated 24.04.2019 registered at Police Station City Sangrur, District Sangrur, under Section 420 IPC and Section 4 & 5 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978.

2. Learned counsel for the petitioner submits that the petitioner has been wrongly involved in this case. Sandeep Kumar Jindal was the Managing Director of the company namely SMD Infra Pvt. Ltd., which was taking investments from the general public. The petitioner was employed as a Manager therein but was subsequently inducted as a Director on infusion of funds. Sandeep Kumar Jindal had absconded and the company had gone into liquidation and the complainant has submitted his claim before the official liquidator already. The petitioner is also a victim. Further, the petitioner has been in custody for over 10 months now, but the trial is not likely to be concluded at an early date as only 03 PWs have been examined

CRM-M-52201-2019

out of a total of 16 PWs. The complainant already stands examined and there is no likelihood of the petitioner interfering with the trial. Thus, he may be granted regular bail.

3. Learned State counsel opposes the prayer on the ground that the petitioner is equally liable as the Managing Director namely Sandeep Kumar Jindal. It is, however, not disputed that the petitioner had initially joined as an employee. The date of arrest and the status of the trial is also not disputed.

4. Keeping in view the fact that the petitioner has already undergone actual custody of almost 10 months as well as the fact that the trial is not likely to be concluded at an early date as a large number of PWs still remain to be examined, I deem it appropriate to release the petitioner on regular bail.

5. Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Judicial Magistrate concerned.

May 22, 2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned *Yes*

Whether Reportable *No*