

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

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CRM-M-6837-2021

Decided on : 08.04.2021

Harpreet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Aayush Gupta, Advocate
for the petitioner(s).

Mr. Sidakmeet Singh Sandhu, AAG, Punjab
assisted by ASI Bhupinder Kumar.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 385, dated 01.12.2018, registered under Sections 420, 467, 468, 471, 120-B IPC, lodged at Police Station Sahnewal, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner *inter alia* contends that the petitioner is a totally illiterate man, who cannot even write and is working as a servant of the main accused i.e. Ram Parsad Jain and Vikas Jain. He further submits that the petitioner had in fact nothing to do with the loans allegedly procured by the main accused. It has been submitted that being employers of the petitioner, the main accused misused his Aadhar card and as a result of which, a Bank account was opened in the name of the petitioner by the main accused and an amount of Rs.1.00 Crore transferred in the said account. Learned counsel further submits that the main accused i.e. Ram Parsad Jain and Vikas Jain, as also the various Bank employees, who are accused in the case in hand, have since been extended the concession of anticipatory bail by the trial Court.

Learned counsel for the petitioner further submits that it is a case resting on documentary evidence, hence, there can be no apprehension that the petitioner would tamper with the evidence collected by the investigating agency. It has been thus prayed that the petitioner be also extended the concession of regular bail, as he has been in custody since 26th November, 2020 and only challan has been presented till date. Hence, there is no likelihood of the trial concluding in the near future.

Learned State counsel on the other hand while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Bhupinder Kumar, has submitted that no doubt the petitioner was an employee of the main accused, however, an amount of Rs.1.00 Crore was deposited in his account. He has further submitted that another FIR stands registered against the petitioner under Section 420 IPC on the same facts and circumstances.

Heard.

Having considered the submissions made by either side and without commenting upon the merits of the case coupled with the fact that the petitioner has been in custody since 26th November, 2020 and the case in hand rests on documentary evidence, further detention of the petitioner will not serve any useful purpose. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 08, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No