

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

CRM-M-9152-2021 (O&M)
Date of Decision:-7.4.2021

Rajiv Arora

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Gupta, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Bhupinderjit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.237 dated 6.11.2020 at Police Station City Kot-Kapura, District Faridkot under Sections 409 and 420 of Indian Penal Code.
2. The FIR in question was lodged at the instance of Deepak Kapoor, wherein it is alleged that he is Owner/Proprietor of M/s National Plywood Industry, D-24, Focal Point, Kot-Kapura and that Rajiv Arora (petitioner) was doing marketing for their firm and they used to settle the accounts periodically. It is alleged that about 2 years ago Rajiv Arora suddenly left the job and subsequently the complainant came to know that Rajiv Arora had collected money from customers of complainant's firm but had not deposited the said

amount with the complainant. Although Rajiv Arora was asked to settle the accounts but despite repeated requests he has been lingering on the matter and has thus siphoned off lakhs of rupees.

3. The learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case mainly on account of the fact that the complainant nursed a grudge on account of the fact that the petitioner had left his job and on account of the fact that there were some differences amongst the partners of the firm.
4. Opposing the petition, the learned State counsel has submitted that during the course of investigation it had surfaced that the petitioner had misappropriated an amount of ₹7,54,186/- and that in these circumstances he does not deserve the concession of bail particularly when he happens to be involved in one more case. The learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 3 months and that challan already stands presented.
5. Having regard to the facts and circumstances and the nature of offence and also the amount involved and while keeping in view the fact that challan already stands presented and the petitioner has been behind bars since the last about 3 months, 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.

7.4.2021

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Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**