

VIJAY RANA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ranjan Lakhkanpal, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been filed by the State counsel
in Court today through email and the same is taken on record.

Vijay Rana-petitioner is seeking regular bail in the case bearing FIR
No. 216 dated 09.11.2017 under Sections 406/409/420/120-B IPC and Sections
465/471/474/201 IPC added later on, registered at Police Station Lalru, District
SAS Nagar.

Briefly, the allegations against the petitioner are to the effect that
while working as cashier in ESI Corporation, he had embezzled the amount to the
tune of Rs. 38,13,322/-. The amount was transferred in the account of different
relatives.

It has been contended by the learned counsel for the petitioner that no
recovery has been effected from him, he is in custody for the last 2 years, 10
months and 21 days, all the co-accused are on bail, the offences are triable by the
learned Judicial Magistrate 1st Class and only 07 out of 23 witnesses have been

registered under Section 406 IPC and is facing trial in other complaint case under Section 138 of the Negotiable Instruments Act.

On instructions from ASI Jaswinder Singh, learned State counsel has not disputed the aforesaid facts.

Keeping in view the fact that the petitioner is in custody for the last 2 years, 10 months and 21 days, the co-accused are on bail, the offences are triable by the learned Judicial Magistrate 1st Class, only 07 out of 23 witnesses have been examined so far and the conclusion of the trial is likely to take sometime, no fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient grounds are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

15.03.2021
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(VIVEK PURI)
JUDGE

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