

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

CRM-M-46704 of 2021

DECIDED ON:15th November, 2021

Amit Sharma

.....PETITIONER

VERSUS

The State (U.T. Chandigarh)

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Manav Bajaj, Advocate for petitioner.

Mr. Amit Kumar Goyal, APP for UT Chandigarh.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 262 dated 15.10.2017 under Sections 406, 420, 120-B IPC, registered at Police Station Mani Majra, Chandigarh.

The FIR was at the instance of Krishan Lata. As per the allegations, she was duped by Preeti Saluja wife of Arun Saluja of Rs.13 lakh on pretext of investing the amount in a particular scheme. The allegations against the petitioner is that the amount given by Krishan Lata was deposited in the bank account of Amit Sharma (petitioner).

Learned counsel for the petitioner submits that the petitioner was only an employee of the firm run by Preeti Saluja wife of Arun Saluja (main accused). His account details were taken by the employer for the salary purpose, which was misused.

Custody certificate dated 13.11.2021 filed is taken on record.

Learned State counsel opposes the prayer for grant of bail and submits that not only the amount given by the complainant but the amount of similar situated persons, was deposited in the account of the petitioner. He further submits that the petitioner remained absconded for almost three years and was able to delay the trial.

Learned counsel for the petitioner at this stage submits that the petitioner was not aware of present FIR. He was granted anticipatory bail in another FIR on similar facts. Thereafter he started residing at his native place in Himachal Pardesh and ultimately he was apprehended from there.

To establish his *bona-fide*, the petitioner offers to deposit Rs.5,00,000/- within ten days with the trial Court subject to out come of the trial.

The case is mainly based upon the documentary evidence and as per the contention of learned counsel for the petitioner, the petitioner was merely an employee of Preeti Saluja. Further, the offer made by learned counsel for the petitioner to establish *bona-fide* appears to be reasonable to ensure that the petitioner appears in the trial as and when required.

The petitioner is granted regular bail on deposit of Rs.5,00,000/- with the trial Court within one week from today. The amount so deposited would be subject to outcome of the trial. The same shall be kept in fixed deposit in some nationalized bank. In case of failure of the petitioner to appear as and when called by the trial Court, the amount shall be forfeited.

(AVNEESH JHINGAN)
JUDGE

15th November, 2021
reema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>