

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

214

CRM-M-428-2022 (O&M)

Date of Decision: 23.03.2022

SANJEEV THAKUR @ SANJAY THAKUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. KS Dadwal, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

Mr. Varun Sharma, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.17 dated 01.02.2021, registered at Police Station Dasuya, District Hoshiarpur, under Sections 420, 506 and 120-B IPC.

Learned counsel for the petitioner has fairly conceded that the petitioner had received a sum of Rs.90,000/- out of which Rs.80,000/- was paid to the Chartered Accountant (C.A.); that the petitioner has been in custody for the last more than three months and that co-accused, namely Anjali Thakur (wife of the petitioner) has been declared as innocent by the prosecution agency. He further submits that Vijender Kumar, who was the Company representative and one of the co-accused, has already been granted the concession of bail by this Court on 07.02.2022 and that Vijender Kumar had already deposited the entire amount of Rs.16,00,000/-.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel assisted by the learned counsel for the complainant does not dispute the custody period of the petitioner as well as the factum of co-accused, namely, Vijender Kumar, being on bail. He, however, submits that there is an apprehension of the petitioner's leaving for abroad, if enlarged on bail. He further submits that post presentation of the challan, the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than three months. Amount of Rs.16,00,000/- has already been deposited by co-accused, namely, Vijender Kumar, who is on bail. Charges are yet to be framed and prosecution evidence is to commence. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate and further subject to surrendering of his passport.

23.03.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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