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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1559-2022

Decided on: 8th February, 2022

Jagbir Reddy

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Chander Shekhar Singhal, Advocate for the petitioner.
Mr. Manish Dadwal, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 414, dated 13th August, 2021, under Sections 406, 420 read with Section 34 IPC, registered at Police Station City Hisar.
3. The allegations made by complainant-Ram Phal are that he got a company registered in the name and style of "Right Wellness Private Ltd.", it was later on converted into a firm. The complainant was a sleeping partner, he invested Rs.95,00,000/-. The other partners were Jagbir Reddy and Ram Bhukal. The firm was being closed by other partners as it was suffering losses. The accused inspite of repeated requests were not supplying the accounts. The complainant accepted the request of other partners not to close the firm and to hand over the same to them in a

running condition. The matter was compromised, an affidavit was prepared to the effect that the firm shall be handed over by the complainant to other partners for Rs.70,00,000/-. The grievance is that settlement has not been adhered to.

4. Learned counsel for the petitioner submits that the issue is of settlement of accounts of the firm and the dispute is civil in nature. He further submits that co-accused was granted anticipatory bail by this Court.

5. Learned State counsel opposes the prayer for grant of regular bail, however, he on instructions submits that investigation is complete, challan stands presented.

6. Considering that the tone and tenor of the dispute is civil in nature, the case is based upon documentary evidence, co-accused was granted anticipatory bail, albeit the investigation is complete, challan stands presented, and conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

8th February, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No