

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

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CRM-M-8873-2022

Date of Decision : **May 07, 2022**

SANDEEP MALIK

.....Petitioner

VERSUS

STATE OF HARYANA AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr.Rajat Mor , Advocate
for the petitioner.

Ms. Shivani Sharma, AAG, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.54 dated 4.2.2022 under Sections 405, 420, 506, 120-B IPC, under Sections 3, 4 and 5 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 and under Sections 3(d), 3(f) and 3(i), 10 of the Consumer Affairs, Food and Public Distribution Notification Act 28 Dec. 2021, registered at Police Station Sector-17, HUDA, Jagadhri. District Yamuna Nagar.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody since 5.2.2022 and the investigation of the case has been completed and the challan has been presented and thereafter the charges have been framed. He submitted that it is a case where the petitioner has been falsely implicated and has got no concern with the affairs of the company at all and he was not even

beneficiary of any amount. He further submitted that the main allegations in the present case are against the main accused, namely, Mohit and the allegations are that the company was taking money from various people for getting them jobs and so far as the present petitioner is concerned, he is neither the partner of the company nor he is employee of the company nor associated with the company. He submitted that he was only an employee of one of the distributors and, therefore, no liability can be imposed upon the petitioner. He further submitted that the other co-accused, who are rather distributors, namely, Randeep Singh and Vikas have been granted regular bail by this Court on 3.3.2022 vide CRM-M-8388-2022 and the petitioner is at much better footing as compared to the aforesaid two persons. He submitted that the petitioner is not involved in any other case and has clean antecedents and since the trial of the case will take long time, no useful purpose will be served in case the petitioner is kept in further custody.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 5.2.2022 and the petitioner is not involved in any other case. So far as the grant of regular bail to the other co-accused is concerned, she has also not disputed the same.

I have heard the learned counsels for the parties.

The petitioner is in custody since 5.2.2022 and investigation of the case is already complete. The basic allegation in the FIR is against one Mohit and as per the learned counsel for the parties and as per the prosecution the petitioner was an employee of one of the distributors of

the company and, therefore, he has also conspired to have taken money. The other co-accused have been granted bail by this Court. The entire case is dependent upon the documentary evidence. The investigation of the case has already been completed. The trial may take long time and it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

In view of the aforesaid facts and circumstances, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

May 07, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No