

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.209-A

Case No. : CRM-M No.43821 of 2021

Date of Decision : September 13, 2022

Satya Dev Bhardwaj Petitioner
vs.

State of Haryana Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR.

* * *

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

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NAMIT KUMAR, J. (Oral) :

Petitioner Satya Dev Bhardwaj has filed the present petition under Section 439 Cr.P.C. *inter alia* with a prayer for grant of regular bail in FIR No.0029 dated 02.02.2019, under Sections 406, 409, 419, 420, 421, 424, 120-B IPC, registered at Police Station Kosli, District Rewari.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner was arrested on 04.06.2021. He further submits that the petitioner has been falsely implicated in the present case as the petitioner has worked for a short period in the Company as Executive Manager-cum-Development Advisor from 10.04.2015 to 14.12.2015, when he resigned. He further submits that the petitioner was never a Director and he has also attached the list of Directors (Annexure P-5), wherein the name of the petitioner does not figure. He further submits that the petitioner was getting salary of Rs.55,000/- per month. He further submits that

the co-accused namely Manoj Kumar has been granted the concession of regular bail vide order dated 31.07.2020 (Annexure P-6) passed in **CRM-M No.17549 of 2020**.

Learned State counsel has filed the Custody Certificate of the petitioner, which is ordered to be taken on record. A perusal of the same would show that the petitioner has remained in custody for 01 year 03 months and 04 days as on 07.09.2022.

Learned State counsel submits that charges have also been framed in this case on 22.03.2022 and at present, evidence of prosecution witnesses is under way and two material witnesses namely Rajesh and Suvidha – complainants have been examined-in-chief and there are 20 witnesses in all. She further states that three more cases of similar nature are pending against the petitioner, details whereof are as follows :-

1. *FIR No.76 dated 07.02.2019, under Sections 420, 406, 120-B IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 (Haryana Act No.32 of 2014), registered at Police Station Model Town, Rewari.*
2. *FIR No.22 dated 23.02.2021, under Sections 420, 406, 120-B IPC, registered at Police Station Sadar, Rewari.*
3. *FIR No.269 dated 25.04.2019, under Sections 420, 406, 120-B IPC, registered at Police Station Sector 8, Faridabad.*

In reply to the aforesaid assertions, learned counsel for the petitioner submits that in all the three cases, the petitioner has been granted bail. He has produced the order dated 20.05.2022 passed by learned Additional Sessions Judge, Rewari (in case at Sr. No.1 above), order dated

06.10.2021 passed by learned Sessions Judge, Rewari (in case mentioned at Sr. No.2 above) and order dated 04.08.2022 passed by a Co-ordinate Bench of this Court (in case mentioned at Sr. No.3 above).

Counsel for the petitioner submits that the trial is likely to take considerable time to conclude. Hence, the petitioner may be granted concession of regular bail.

Keeping in view the peculiar facts and circumstances of the case, as noticed above, and considering the fact that co-accused of the petitioner namely Manoj Kumar has already been granted the concession of regular bail by this Court vide order dated 31.07.2020 and the fact that the trial is likely to take time to conclude, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is directed to be released on regular bail to the satisfaction of the concerned Trial Court/Duty Magistrate, subject to his furnishing bail/surety bonds. In addition to the above, the petitioner is directed to deposit security in the form of bank guarantee/immovable property worth approximately Rs.12,00,000/- before the Trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

September 13, 2022

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**(NAMIT KUMAR)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>