

**231 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-47856-2021

Decided on: 8th February, 2022

Deepak Kumar

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sant Pal Singh Sidhu, Advocate for the petitioner.
Mr. Amit Mehta, Sr. DAG, Punjab.

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. 51, dated 01.03.2019, under Sections 420, 120 B IPC of 1860 (offence under Sections 409, 465, 466, 467, 468, 471 IPC of 1860 and Section 7 of Prevention of Corruption Act, 1988 added later on), registered at Police Station City Faridkot, District Faridkot.
3. Learned counsel for the petitioner has submitted that the petitioner had arranged the buses through different bus owners and they were paid their rent and other expenses. It is further submitted that on the complaint of Gurwinder Singh, an enquiry was conducted and it was found that a sum of Rs.22,62,050/- was transferred in the account of the petitioner and he could not produce any document regarding the payment of rent to the bus operators/owners. It is also submitted that the petitioner has placed

on record the receipts/self declaration, Annexures P-4 to P-14 and affidavit Annexure P-15, showing that the amount stands paid to all the operators/owners, including the complainant and his partner.

4. Learned counsel for the petitioner has further stated that the present complaint on the basis of which the FIR had been registered, was filed after a delay of two years and not a single operator has ever raised any grievance against the petitioner.

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

6. Without making any comments on the merits of the case, considering that petitioner is in custody since September, 2021, investigation is complete, no recovery is to be made from the petitioner, co-accused were granted bail by this Court and trial has not even begun 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