

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19439-2023
Decided on : 25.05.2023

Anil Kumar Parnami

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Girdhari Arora, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

1. The petitioner is seeking concession of regular bail in case FIR No.144 dated 11.04.2018 under Sections 477-A, 468, 424, 420, 409, 405, 34 and 120-A IPC registered at Police Station Civil Lines, Gurugram.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand only because he is the real brother of the main accused Tribhuvan Parnami. Learned counsel submits that no doubt, the petitioner is a director of the finance company (hereinafter referred to as 'company'), however, there is no material on record nor any specific allegations have been levelled against the petitioner in the FIR that he had even lured the complainant to invest her money in the company. In support of his submissions, learned counsel has drawn the attention of this Court to the allegations levelled in the FIR in question. It has been further submitted that co-accused Tribhuvan Parnami, who had allegedly lured the complainant to invest

her money in the company on an assurance given by him qua the assured interest on the amount deposited, had since been extended the concession of bail by this Court vide order dated 28.02.2023 (Annexure P-6).

Learned counsel further submits that the petitioner has now been in custody since 14.02.2021 and only 05 out of 51 prosecution witnesses have been examined till date. Hence, there is no likelihood of the trial concluding anytime in the near future. Therefore, in the wake of his long incarceration, the petitioner be granted the concession of bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by counsel opposite on instructions has submitted that there are serious allegations levelled against the brother of the petitioner namely Tribhuvan Parnami, who is the prime accused in the case in hand. Learned State counsel has further submitted that the petitioner cannot escape being vicariously liable for the crime committed by his brother as admittedly, he too was a director of the company wherein the complainant had invested money.

4. Heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has now been in custody since 14.02.2021 and 46 prosecution witnesses remain to be examined. The trial, therefore, will take considerable time to conclude. The petitioner is not stated to be involved in any other criminal case much less the case of similar nature. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

25.05.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No