



CRM-M-19403-2024

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**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-19403-2024
Decided on : 05.09.2024

Parmod Sharma

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. L.M.Gulati, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner under Section 439 Cr.PC r/w Section 437(6) Cr.PC seeking concession of regular bail in case FIR No.332 dated 25.07.2022 under Sections 120-B, 406, 420 IPC (Sections 467, 468 and 471 IPC added later on) registered at Police Station Model Town Panipat District Panipat.

2. On the last date of hearing, report had been called for from the learned trial Court concerned, which has been received and perused.

3. Learned counsel for the petitioner submits that the petitioner has been in custody for over a year having been arrested on 26.05.2023; the petitioner has been falsely implicated in the present case as no specific role has been attributed to him in the FIR



in question annexed as Annexure P-1. It has been further submitted that the petitioner is not the prime accused in the crime in question and the alleged allurements to invest money in a firm had been given by prime accused Vijay Sharma, who is still in custody. It has also been contended that identically placed co-accused has since been extended the concession of bail by this Court vide order dated 16.05.2024. Learned counsel has urged that since investigation in the present case is complete and challan already stands presented coupled with the only role attributed to him being that a sum of Rs.10.25 lacs was shown to be transferred into his account, further incarceration of the petitioner would serve no useful purpose as none of the 116 witnesses cited by the prosecution have been examined till date. Hence, the possibility of the trial concluding in the near future is remote.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the stage of trial after the charges were framed on 01.12.2023. However, it has been argued by the learned State counsel that all the accused including the petitioner are closely related and had swindled innocent pensioners out of their entire life savings by giving them false assurances, and had swallowed the entire amount. However, it has not been disputed by the learned State counsel on instructions that out of cheated amount of more than Rs.12



crores, a sum of Rs.10.21 lacs had been deposited in the bank account of the petitioner. It has also not been disputed by the learned State counsel that the entire scam had been masterminded by the prime accused Vijay Sharma, who along with his wife, are still in custody.

4. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he on instructions, has replied in the negative.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. As not disputed by the learned State counsel on instructions, the petitioner, is not the prime accused in the instant case and has now been in custody since 26.05.2023 in a Magisterial trial. It has also not been disputed by the learned State counsel and also stands reflected in the report received from the learned trial Court that none out of 116 prosecution witnesses have been examined till date. Therefore, the possibility of the trial concluding in the near future is remote.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. However, it is made clear that anything observed



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hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

05.09.2024
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(MANJARI NEHRU KAUL)
JUDGE

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