



CRM-M-72058-2025

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

CRM-M-72058-2025

Date of Decision: 11.03.2026

Shoounak Marhia

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. G.P.S.Ghuman, Advocate and
Mr. P.S.Maan, Advocate, for the petitioner.
Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.01 dated 01.01.2019, registered under Sections 406, 420, 120-B IPC, at Police Station Phase 11, District SAS Nagar.
2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Jyoti Chaudhary. It was alleged that she bought the commodity to the tune of 100 MT carrot out of 220 MT carrot @ Rs.14/- per kg for Rs.15.50 lacs from Gaurav Kumar and for the same, she entered into an agreement with M/s Crown Imperial Solution through its proprietor Mahesh Maria on 07.06.2018. Shoounak Marhia (petitioner) and Pranav are his associates in the company. Thereafter, she was told that the said commodity was further sold to the commission agents in different Mandis and the whole payment will be given to her till the end of July, 2018. However, the accused persons kept on delaying the payment to the complainant. Despite repeated requests made by the complainant, neither the payment was made to her nor the accused were found at their office. Hence, all the accused in connivance with each other



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duped the complainant with Rs.15.50 lacs. Request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced and the petitioner was arrested on 27.10.2024. He approached the Court of learned Additional Sessions Judge, Mohali praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 28.11.2025. Earlier, the petitioner approached this Court by way of filing CRM-M-14462-2025, however, the same was dismissed as withdrawn, vide order dated 13.10.2025. Hence, the petitioner has again approached this Court praying for grant of bail by way of filing the present second petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that from the bare reading of the allegations made, it is apparent that the dispute is of civil nature. He submits that admittedly, there was an agreement between M/s Crown Imperial Solution and the complainant. He submits that the petitioner was not even party to the agreement arrived at between the company and the complainant. He has submitted that father of the petitioner is the proprietor of the company and not the petitioner. He, thus, submits that once the petitioner is neither the proprietor of the company nor signatory to MoU signed, his false implication is writ large. It is contended that the petitioner is behind the bars from the last about 1½ years and all the material witnesses also stand examined. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.



4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner is writ large. He submits that the petitioner is a habitual offender, who is involved in 06 other cases. He submits that the petitioner is the attesting witness to the agreement. On instructions, he submits that out of total 10 prosecution witnesses, 04 witnesses have been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the allegations in the present case are regarding fraud of Rs.15.50 lacs. MoU signed as contended, is between the company and the complainant. Father of the petitioner has been contended to be the proprietor of the company. The custody certificate would show that the petitioner has suffered incarceration of 01 year 04 month & 11 days as on 10.03.2026. It further shows that the petitioner is involved in six other cases. Out of 10 prosecution witnesses, 04 witnesses have been examined.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.
9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.03.2026

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No