

In the Court of Mrs. Anjana, Additional Sessions Judge, Hoshiarpur
UID No.PB0448

1. CIS No.BA/1600/2024
CNR No.PBHO01005149-2024
Date of Decision: 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

.....Applicant/accused

Versus

State of Punjab

...Respondent.

FIR No.152 dated 18.11.2018,
Under section 420 IPC,
P.S. Bullowal

Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/155/2021)

2. CIS No.BA/1601/2024
CNR No.PBHO01005155-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

.....Applicant/accused

Versus

State of Punjab

...Respondent.

FIR No.152 dated 18.11.2018,
Under section 420 IPC,
P.S. Bullowal

Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/153/2021)

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

3. CIS No.BA/1602/2024
CNR No.PBHO01005156-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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Under section 420 IPC,
P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/154/2021)**

4. CIS No.BA/1603/2024
CNR No.PBHO01005162-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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Under section 420 IPC,
P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/170/2021)**

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

5. CIS No.BA/1604/2024
CNR No.PBHO01005164-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/171/2021)**

6. CIS No.BA/1605/2024
CNR No.PBHO01005161-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/156/2021)**

7. CIS No.BA/1606/2024
CNR No.PBHO01005166-2024
Date of decision : 01.07.2024

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/158/2021)**

8. CIS No.BA/1607/2024
CNR No.PBHO01005144-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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(In challan No.CHI/162/2021)**

9. CIS No.BA/1608/2024
CNR No.PBHO01005167-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/159/2021)**

10. CIS No.BA/1609/2024
CNR No.PBHO01005168-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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FIR No.152 dated 18.11.2018,
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**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/160/2021)**

11. CIS No.BA/1610/2024
CNR No.PBHO01005145-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,

(Anjana)
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Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/163/2021)**

12. CIS No.BA/1611/2024
CNR No.PBHO01005170-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/173/2021)**

13. CIS No.BA/1612/2024
CNR No.PBHO01005146-2024
Date of decision : 01.07.2024

(Anjana)
Addl. Sessions Judge, Hoshiarpur
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Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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(In challan No.CHI/164/2021)**

14. CIS No.BA/1613/2024
CNR No.PBHO01005171-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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(Anjana)
Addl. Sessions Judge, Hoshiarpur
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15. CIS No.BA/1614/2024
 CNR No.PBHO01005147-2024
 Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
 (In challan No.CHI/165/2021)**

16. CIS No.BA/1615/2024
 CNR No.PBHO01005172-2024
 Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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 (In challan No.CHI/168/2021)**

(Anjana)
 Addl. Sessions Judge, Hoshiarpur
 UID No. PB0448

17. CIS No.BA/1616/2024
CNR No.PBHO01005148-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/157/2021)**

18. CIS No.BA/1617/2024
CNR No.PBHO01005173-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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.....Applicant/accused

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P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/167/2021)**

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

19. CIS No.BA/1618/2024
CNR No.PBHO01005174-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/166/2021)**

20. CIS No.BA/1620/2024
CNR No.PBHO01005177-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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FIR No.152 dated 18.11.2018,
Under section 420 IPC,
P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/150/2021)**

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

21. CIS No.BA/1621/2024
CNR No.PBHO01005178-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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FIR No.152 dated 18.11.2018,
Under section 420 IPC,
P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/151/2021)**

22. CIS No.BA/1622/2024
CNR No.PBHO01005179-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
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(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/152/2021)**

23. CIS No.BA/1623/2024
CNR No.PBHO01005143-2024
Date of decision : 01.07.2024

Maninder Kumar, aged 39 years S/o Nirmal Ram R/o House No.1025,
Fauji Wali Gali, Rama Mandi, Jalandhar-II, District Jalandhar.

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FIR No.152 dated 18.11.2018,
Under section 420 IPC,
P.S. Bullowal

**Second bail application U/s 438 Cr.P.C. for grant of anticipatory bail.
(In challan No.CHI/161/2021)**

Present: Sh. A.P.S. Mathon, Advocate, for applicants.
Sh.Charanjit Singh, Addl.P.P. for the State

O R D E R

1. This common order of mine shall dispose of above detailed total 23 bail applications filed by the above referred applicants under section 438 Cr.P.C.

2. In pursuance of the notice of the bail applications having been issued, learned Addl.P.P. for the State has put in appearance. Record has been summoned and produced.

3. The learned counsel for the applicants/accused has vehemently argued that a false case has been registered against the accused/applicants. The name of the accused/applicants were falsely

(Anjana)
Addl. Sessions Judge, Hoshiarpur
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mentioned in the application moved by the complainant but later on during inquiry, the accused/applicants were found innocent. The accused/applicants have been summoned by learned trial court while deciding the application under Section 319 Cr.P.C. Since, the accused/applicants were found innocent by the police, as such their custodial interrogation is not required. The conclusion of trial will take a long time and no useful purpose would be served by sending the accused/applicants behind the bars. The accused/applicants have apprehension of their arrest in case they will appear in the court. It is further submitted that other accused person namely Pardeep Singh Layal @ Pardeep Layal has also been granted bail by Dr.Ajit Atri, Id. Addl.Sessions Judge, Hoshiarpur, vide order dated 09.05.2024. Lastly, prayer has been made that the application for anticipatory bail may be allowed.

4. On the other hand, learned Addl.P.P. for the State vehemently opposed the contentions raised by the learned counsel for accused/applicants and argued that there are specific allegations against the accused/applicants. Thus, due to gravity and seriousness of offence, present accused/applicants does not deserve the concession of anticipatory bail. Lastly, prayer has been made for dismissal of bail application.

5. After giving my careful consideration to the rival submissions and on careful perusal of averments of the application, contents of FIR, record of police coupled with due assistance rendered, this court finds that the present bail application merits acceptance. As per FIR the present case was registered on the complaint No.3572-SSP dated 25.06.2018 of complainant Sachin Sharma, Group Manager of M/s ANR Pvt. Ltd., Jalandhar, on the allegations that the accused persons were employees of M/s ANR Motors Pvt. Ltd. and were working at ANR motors situated at Vill.Chak Gujran, P.O. Niara, Opp.Reliance Petrol Pump, Jalandhar Road, Hoshiarpur. The accused No.1 (Pardeep Loyal) was working as service advisor since 2010. The accused No.2

(Sukhwinder Singh @ Heer)was the G.M., accused No.3 (Vishal Kumar) was service advisor and accused No.4 (Maninder Kumar) was parts Manager at the time of said embezzlement. The complainant who is authorized dealer of Toyota Company and deals in sales of Toyota vehicle in the region and also gives the service through workshop to the customer. The company came to know about the embezzlement and fraud committed by the accused persona in connivance with each other only recently, when the accused No.2 left the job from company and new General Manager has been appointed who was also the old employee of the company. After verifying the record of the vehicle which came to the company workshop for their service of their jobs by mentioning the wrong registration numbers of the vehicle on the job sheet, which have never visited the service centre and then accused person withdrew the parts from store keeper and after completing job, the cost of the parts was taken by the accused from the customers but have not deposited the entire cost with the company. The cost of parts taken out was reflected in the name of fictitious registration numbers in which the job sheet was generated. The fraudulent act has been don by the accused person connivance with each other and the inventory of spare parts issued from workshop in the name of such vehicle numbers caused loss to company to the tune of Rs.23.00 lakh approximately. When the complainant enquired the aforesaid illegal act of all the accused of his own free will, consent and without any external pressure upon the accused person, the accused No.1 had admitted his guilt in the presence of the other employees and have also given apology in writing. After enquiry, present FIR was registered against accused Sukhwinder Singh Heer under Section 420 IPC.

6. Further perusal of file reveals that after investigation, the police presented challan against accused Sukhwinder Singh Heer. After leading some evidence, the prosecution filed an application under section 319 Cr.P.C, which was allowed by the learned trial court on 30.11.2023 and accused/applicant was ordered to be summoned to face trial

alongwith co-accused. Therefore, it is quite apparent that custodial interrogation of present accused/applicants is not required. As such, present application is allowed and the accused/applicant is directed to put appearance before the trial court within seven days from today and in that eventuality, the accused/applicant be released on bail on furnishing bail bonds to the satisfaction of trial court/Illaqa Magistrate/Duty Magistrate. In case of non compliance of this order, this order shall vacate automatically. Copy of the order be placed on the file of connected bail applications. Lower court record be returned alongwith a copy of this order and files of bail applications be consigned to record room.

Pronounced;
Dated: 01.07.2024
baljinder

(Anjana)
Additional Sessions Judge,
Hoshiarpur
UID No.PB-0448

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448

Maninder Kumar Vs. State

CIS No.BA/1600/2024 CNR No.PBHO01005149-2024

Present: Sh. A.P.S. Mathon, Advocate, for applicants.
Sh. Charanjit Singh, Addl.P.P. for the State

Trial court record received. Arguments heard. Vide my separate order of even date, bail application stands allowed, for the reasons as indicated therein. Lower court record be returned alongwith a copy of this order and file of bail application be consigned to record room.

Pronounced;
Dated: 01.07.2024
baljinder

(Anjana)
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0448)

(Anjana)
Addl. Sessions Judge, Hoshiarpur
UID No. PB0448