

Sr. No.230

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-18571 of 2016 (O&M)

Date of Decision: 31.05.2016

Amrinder Singh

... Petitioner

Versus

The State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Karanvir Singh Khehar, Advocate,
for the petitioner.

Mr. Deepak K. Grewal, DAG., Haryana.

Mr. Rakesh Gupta, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.603 dated 17.08.2015, under Sections 406, 420, 467, 468, 471, 120-B, 506 of Indian Penal Code, registered at Police Station Civil Lines, Karnal.

FIR in question has been registered on the complaint made by 30 complainants in all.

Allegations in a nutshell are with regard to defrauding innocent people and thereby duping them of a sum of Rs.1.24 crore approximately.

Even as per version of the complainants, the allegations are primarily against Vijay Kumar son of Shri Bhagwan Dass and who claimed himself to be the Director of Silicon Project India Limited (North India) having Head Office in Calcutta. Complainants alleged that seminars were conducted and in which they were induced to associate with the company and to work as collection agents and in return they were promised a heavy

commission. Other incentive in the nature of a life long pension was also held out. Complainants further alleged that having been enticed, they have worked as collection agents, collected huge sums of money and the same were stated to have been deposited in the form of debentures and fixed deposits and the accused including Vijay Kumar had even issued receipts in lieu thereof. Still further allegation is that upon maturity of such fixed deposits/debentures, the money so collected has not been returned and rather has been misappropriated.

Present petitioner was not even named by the complainants.

The present petitioner is stated to have remained as a Director of M/s Silicon Network Private Limited for the period January 2014 to 10th July 2014.

Contention raised on behalf of the petitioner is that there was no entrustment of money either to the petitioner in his personal capacity or with M/s Silicon Network Private Limited during the tenure that he remained as a Director.

Investigation in the case is complete and the challan stands presented on 02.04.2016.

During the course of hearing, even the final charge-sheet submitted by the Investigating Agency under Section 173 of Criminal Procedure Code has been adverted to and it has gone uncontroverted that apart from the confessional statement recorded of the petitioner while in police custody, there is no other incriminating evidence coming forth to link the petitioner with the allegations contained in the FIR.

Petitioner has been in custody since 04.02.2016.

Trial is still at the initial stage and would take time to conclude.

Without making any observations on merits, present petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Karnal.

Disposed of.

31.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE