

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

**CRM-M-17090 of 2016 (O&M)  
Date of Decision: January 13, 2017**

Baldev Kumar @ Rimpay

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. Sameer Sachdeva, Advocate  
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

Mr. Davinder Kumar, Advocate  
for Mr. PKS Phoolka, Advocate  
for the complainant.

**FATEH DEEP SINGH, J.**

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that the complainant Ramesh Kumar had come across accused, who was running a finance Company under the name and style of '*Crown Chit Fund Company*' and had assured the complainant that he would pay 3% interest per month on the amount so deposited before him and on which representation it is alleged that complainant had paid a sum of Rs.24,52,000/- and during the period a sum of Rs.6,00,000/- was paid back and remaining amount of Rs.18,52,000/ accumulated along with interest was never paid leading to registration of case. Learned counsel for the petitioner contended that the petitioner is in custody since more than 11 months and that the allegations on the face on it

shows to be a civil transaction. Though the factual scenario is not disputed by the learned State counsel as well as learned counsel for the complainant, however, they have opposed the grant of bail to the petitioner.

Appreciating the submissions, from the bare perusal of FIR and the statement of the complainant made before the trial Court a debatable issue has cropped up over the very culpability of criminality to these allegations. Keeping in view that the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

**(FATEH DEEP SINGH)**  
**JUDGE**

**January 13, 2017**  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No