

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

Crl. Misc. No.M-22974 of 2017 (O&M)

Date of Decision: July 21, 2017.

Inderjeet Singh Yadav

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jai Vir Yadav, Advocate
for the petitioner (s).

Mr. Deepak Grewal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

Heard.

As per the case of the complainant, she was defrauded by the petitioner with representation that he had opened a company which doubles the amount deposited by the investor within a period of two years. The complainant gave three cheques to the petitioner, one cheque of ₹64,000/- and two cheques of ₹1 lakh each. Out of which, one cheque of ₹64,000/- and another cheque of ₹1 lakh were got encashed by the petitioner. The complainant made another payment of ₹1 lakh by giving ₹50,000/- cash and cheque of ₹50,000/- to one Jaldhir sent by petitioner, which was also got encashed. The petitioner gave an ATM of bank to the complainant and apprised that her amount will be paid in installments, which she can withdraw through ATM. However, no payment was made to her.

Learned State counsel submits that the payment made to the petitioner was deposited in the account of company namely Unicom Trade

India, in which the petitioner was an agent and one Sushil was Director of that company. A number of FIRs have been registered against the petitioner and the company.

As during the investigation, the police has found that the role of the petitioner was as agent of the company and he has nothing to do with the ownership of the company for which the payment was taken, his liability as agent of Sushil Kumar is a point which trial Court will appraise on the basis of the evidence produced by the prosecution.

Keeping in view the above facts and that the conclusion of the trial Court will take a long time, the present petition is allowed. Petitioner Inderjeet Singh Yadav is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

July 21, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No