

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

CRM-M -40966 of 2016 (O&M)
Date of decision: 16.01.2017

Karnail Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. M.S. Virk, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Rajesh Kumar.

Mr. Ajay Arora Bharti, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.792 dated 20.10.2016, registered under Sections 406, 418, 420 of IPC and Sections 4 & 5 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978, at Police Station City Sirsa, District Sirsa.

On 16.11.2016, this Court had passed the following order:-

“Petitioner is alleged to have connived with Sukhdev Singh and Madan Lal to persuade the complainant Jagdish to deposit money in fixed deposit account of KEN Agro

Purpose Cooperative Society Ltd. instead of depositing the same in the State Bank. The said amount deposited against FDR receipts on maturity was not disbursed to the complainant.

Notice to the Advocate General, Haryana for 30.11.2016 for a report whether the complainant had actually deposited the amount with the bank against valid documents and whether he has been deprived of the money.

Meanwhile, an interim direction is issued that petitioner will join investigation on or before 26.11.2016. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”

During the course of arguments, the learned counsel for the petitioner has circulated the receipts showing the investment made by the petitioner. The receipts are taken on record as Mark 'A'. The receipts are signed by the Managing Director, Sukhchain Singh. He states that petitioner is neither the agent nor employee of the company. In fact the petitioner is one of the victim along with the complainant. The petitioner also lodged a complaint against main accused Sukhchain Singh and other directors of the firm. It is contended that in pursuance of the order dated 16.11.2016, the petitioner has joined the investigation

The learned State counsel, on instructions submits that in fact the petitioner allured the complainant to invest in the company headed by Sukhchain Singh.

The learned counsel for the complainant opposes the bail

application.

Considering the fact that the petitioner has repeatedly joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 16.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

16.01.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No