

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

CRM-M -41816 of 2016 (O&M)

Date of decision: 16.01.2017

Sukhdev 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 22.11.2016, this Court had passed the following order:-

“Notice of motion.

Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondent-State. A complete copy of the

paper book has been furnished to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner(s) by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.*

To be heard along with CRM-M-40966-2016 on 30.11.2016.”

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 22.11.2016, 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 22.11.2016, 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
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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