

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

CRM-M -43316 of 2016 (O&M)
Date of decision: 16.01.2017

Madan Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Gorav Kathuria, 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 05.12.2016, this Court had passed the following order:-

“Petitioner is alleged to have connived with Karnail Singh and Sukhdev Singh and persuaded complainant Jagdish to deposit money in fixed deposit account of KEN

Agro Purpose Cooperative Society Limited instead of depositing the same in the State Bank. The said amount on maturity was not disbursed to the complainant.

Counsel for the petitioner submits that the petitioner himself is working as Sweeper with State Bank of Patiala and he himself has been deputed by the same accused and has also suffered wrongful loss.

A similar petition filed by co-accused Karnail Singh is pending for January 16, 2017.

Notice to Advocate General, Haryana, for January 16, 2017.

Meanwhile, an interim direction is issued that the petitioner will join investigation on December 10, 2014 and December 24, 2016 and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

The learned counsel for the petitioner states that petitioner is neither the agent nor employee of the company. In fact the petitioner is one of the victims 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 05.12.2016, 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 05.12.2016, 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