
Date of Decision:11.07.2018

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Mr. Vipul Dharmani, Advocate
for the complainant.

CRM No.22700 of 2018

CRM No. M-27052 of 2018

Learned counsel for the petitioner submits that the petitioner is in the business of recommending borrowers to the financial institutions/company; as a free-lancer and has no personal relation with the persons who avail the loans. In the present case also, he only made a referral for the purpose of sending the customer to the complainant. For that, the petitioner was paid commission of about Rs.15,000/- by the complainant. Beyond that, the petitioner is not connected with either process of sanction of the

loan by the complainant or with any responsibility of repayment of the same by the loanee. It is further submitted that the petitioner was never appointed as an employee of the complainant with any responsibility of verification of the documents of loanee, as alleged in the FIR.

Learned State Counsel, being instructed by ASI Shambhu Lal, submits that during inquiry from the complainant, it has been found that they have alleged that the petitioner was appointed Direct Selling Agent by the complainant. However, except informing this to the Police now, there is nothing pointed out by the complainant that the petitioner was, in fact, appointed as a Direct Selling Agent of the complainant.

Learned counsel for the complainant submits that, in fact, the loanee which was referred by the petitioner has committed similar frauds with other financial institutions as well but the petitioner is not connected with those cases.

In view of the above submissions of the learned counsel for the petitioner but without commenting upon the merits of the case, the present petition is allowed. It is ordered that the petitioner shall be released on bail in case of his arrest; on his furnishing surety/ bail bonds to the satisfaction of Arresting Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

July 11, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No