

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

CRM-M-28350-2017((O&M)

Date of decision:- 9.1.2018

Nishu Pal @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Sumit Puri, Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr.D.A.G., Punjab.

Mr.Tejinder Pal Singh, Advocate
for the complainant.

H.S. MADAAN, J. (Oral)

CRM-38618-2017

This is an application for placing on record the photocopy of
cheque dated 8.3.2016.

Allowed, as prayed for, subject to all just exceptions.

CRM-M-28350-2017

This petition for regular bail has been filed by petitioner –
Nishu Pal @ Vicky, an accused in FIR No.62 dated 8.7.2017, under
Section 420 IPC, registered with Police Station Longowal, District

Sangrur on the allegations that S/Sh.Kuldeep Singh, Gobinder Singh, Balwinder Singh and Ms.Gurmeet Kaur had been given an allurement by petitioner - Nishu Pal @ Vicky that he would get their money multiplied, if they invested the same in the company Legend Infratech India Ltd.; that taken in by that allurement, complainants had invested their money with the said company, however, it was not returned; that the total amount involved is said to be Rs.2,94,000/-. Accused was arrested in this case. The petitioner had moved an application for regular bail in Court of Sessions at Sangrur but was unsuccessful and the same was dismissed vide order dated 27.7.2017 passed by learned Additional Sessions Judge, Sangrur. Hence the present petition.

Notice of the petition was given to the respondent - State and State counsel has put in appearance. Complainant has also appeared through counsel.

To show his bonafide, the petitioner has deposited a sum of Rs.1,50,000/- in the Registry of this Court and vide order dated 13.10.2017, he was ordered to be released on bail for a period of three months.

Today in the Court, it has been agreed that amount so deposited by the petitioner in the Registry be disbursed to the complainants proportionately in light of the amount so deposited by them with the company, subject to their giving an undertaking in the trial Court that if ultimately the petitioner/accused is acquitted after the trial, the amount would be refunded to him. However, it has further been agreed that if on conclusion of trial, the petitioner is convicted, he would pay the

remaining amount of Rs.1,44,000/- by depositing the said amount in the trial Court which would be then disbursed to the complainants proportionately.

Under the circumstances, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Sangrur, subject to the following conditions:

- (i) He shall appear in the Court on each and every date of hearing.
- (ii) He shall not give any threat or intimidation to the prosecution witnesses.
- (iii) He shall not leave India without prior permission of the Court.

In addition to that the trial Court may impose any term and condition found suitable.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

9.1.2018
Brij

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No