

CRM-M-50978-2018

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

CRM-M-50978-2018

Date of Decision: 28.02.2019

Mandeep Singh Bindra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Ms. Monika Jalota, DAG, Punjab.

Ms. Kuljit Kaur, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.176 dated 25.10.2018, registered at Police Station City Nawanshahr, District SBS Nagar, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through her counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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As per the FIR, allegation against the present petitioner is that at his instance, the complainant has invested money in the U.K. based company and suffered a loss.

The case of petitioner is that the complainant has invested money in the bitcoin etc. and made the payments through credit card to the company etc. Earlier, she has earned profit, but later on suffered a loss due to demonetisation.

Learned counsel for the petitioner submitted that the complainant was an employee in the petitioner's company and she has invested the money independently.

In pursuance of the interim order dated 22.11.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 22.11.2018, granting interim bail to the petitioners, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

28.02.2019

parveen kumar

Note:

Whether speaking/reasoned

Whether reportable

(INDERJIT SINGH)

JUDGE

: Yes

: No