

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

222

CRM-M-36049-2019(O & M)

Date of Decision:14.10.2019

Darshan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parvez Chugh, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Vivek Gupta, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.353 dated 30.11.2017, under Sections 420 and 120-B IPC, 1860, registered at Police Station City Ferozepur, District Ferozepur.

The FIR was lodged by complainant-Jagtar Singh wherein it was alleged that in the year 2014, Balraj Singh and Amrik Singh induced him to invest in their Company i.e. Golden Carrier Investment Company Pvt. Ltd. with an assurance to double the amount in five years. The complainant was called in the Company where the MD namely Narinder Kaur assured for returning the double amount of the investment in five years. At that time, Darshan Singh was also present. It was alleged that on different dates, deposits were received from the complainant. The FDR was issued in favour of the complainant (depositors). The complainant had paid a sum of ₹23 lacs. However, despite maturity the amount was not returned.

On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the allegations are against Balraj Singh and Amrik Singh and the amount was also paid to them. He submits that the petitioner was a Field Officer of the Firm namely Thind Agro Feed Mills being run by Balraj Singh and Amrik Singh and merely because he is acquaintance of those two persons cannot be indicted for the alleged act of inducement committed by them. It is pointed out that the investigation of the case is complete and charges were framed on 23.07.2019.

On the other hand, learned State counsel assisted by ASI Harneek Singh as well as counsel for the complainant has opposed the bail application.

Learned counsel for the complainant has produced the copy of the alleged FDR, which is reportedly signed by Balraj Singh and MD Narinder Kaur.

At this stage, learned counsel for the petitioner submits that the said FDR does not contain the signature of the petitioner and, therefore, further custody may not be justified.

After hearing learned counsel for the parties, this Court finds that the further custody of the petitioner may not be necessary, as the trial is likely to consume considerable time. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

14.10.2019

sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No