

CRM-M-7642 of 2020 (O&M)

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

CRM-M-7642 of 2020 (O&M)
Date of Decision: 31.07.2020

Ravinder

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. KPS Virk, Advocate, for the petitioner.
Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner in case FIR No.409 dated 27.07.2018 registered under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC at Police Station Jind City, District Jind.

According to complainant, he was cheated by petitioner and his partner in the year 2014-15, proclaiming that their firm fulfills parameters of international standard. They would give him double the interest. Complainant trusted the petitioner and his partner and invested around ₹72.00 lakh with the firm of petitioner for investment in his name as well as in the name of his family members, including his wife, daughter and friends. Lateron, complainant came to know that petitioner and his partner were

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fraudsters. Thus, he has been cheated.

Learned counsel *inter alia* contends that complainant remained silent for 4/5 years. Silence of the complainant for 4/5 years in not lodging any FIR/filing complaint under Section 156(3) Cr.P.C. shows that he has no genuine grouse. No money was ever handed over to the petitioner. Petitioner was only a partner with Arun Kaushik in a firm which was dissolved in the year 2015. Petitioner's name is not mentioned in the complaint/FIR. Three persons arrayed as accused have been found innocent by the police. Arun Kaushik is still at large. Petitioner is in custody since 13.01.2020. Challan has been filed. But, conclusion of trial may take sufficient long time. No useful purpose would be served by keeping the petitioner in jail any more.

Learned State counsel vehemently opposed grant of regular bail to the petitioner.

Having given thoughtful consideration to the rival submissions, this Court is not inclined to grant regular bail to the petitioner considering the huge amount for which he defrauded the complainant.

Dismissed.

July 31, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No