

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

CRM-M-21921-2020 (O&M)

Date of decision: 16.09.2020

Darshan Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. C.K. Singla, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Darshan Singh, an accused in FIR No.50 dated 28.05.2020, for an offence under Section 420 IPC and Sections 4 and 5 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978, registered with Police Station Dharamgarh, District Sangrur.

Briefly stated facts of the case as per prosecution version are that, applicant/accused Darshan Singh along with his co-accused had given an allurement to complainant Paramjit Kaur that the money deposited by her with Future Choice Company so formed by the petitioner/accused and others would get doubled within two years. Complainant Paramjit Kaur had handed over a sum of Rs.1,90,300/- to the petitioner/accused against receipt, however, no amount was paid to

her on maturity after expiry of two years of the deposit. After registration of the formal FIR, the matter was investigated.

Apprehending his arrest in this case, petitioner had approached the Court of Sessions at Sangrur, seeking pre-arrest bail. His such application was assigned to Addl. Sessions Judge, Sangrur, who vide order dated 30.07.2020 dismissed the said application. Feeling aggrieved, he has knocked at the door of this Court, praying for grant of similar relief. Notice of the petition was given to the State.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has submitted that the petitioner has no concern with Future Choice Company and the receipts produced by the complainant do not bear signatures of the petitioner. As a matter of fact, the petitioner himself is a victim. It is further submitted that during the course of enquiry in the complaint, Superintendent of Police (Local) Sangrur had concluded that no offence is made out against the petitioner and his family members. He has pointed out to copy of such report dated 12.12.2019, being Annexure P-2 and further since the petitioner has joined the investigation in terms of the direction issued to him, vide order dated 07.08.2020, while granting him interim bail, his custodial interrogation is not required. Therefore, he be granted pre-arrest bail.

Learned State counsel, on instructions from ASI Ram Singh concedes this fact, further stating that the custodial interrogation of the petitioner is not required by the local police.

It being so, the interim bail granted to the petitioner, vide order dated 07.08.2020 is made absolute, subject to the following conditions:-

- 1.That the petitioner shall make himself available for investigation by a police officer as and when required;
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3.That he shall not leave India without prior permission of the Court.
- 4.He shall surrender his passport before the Investigating Officer and if he is not having passport, then, shall file the affidavit in that regard.

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

The petition stands allowed accordingly.

16.09.2020
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No