

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

CRM-M-37886-2019 (O&M)
Date of Decision:- 8.1.2020

Ram Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amardeep Sheoran, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana
assisted by ASI Jitender Singh.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.272 dated 17.5.2018 under Sections 420/406/120-B IPC and Section 3(2) of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 at Police Station City Bhiwani, District Bhiwani.
2. The FIR was registered at the instance of Mukesh Kumar wherein it has been alleged that in the month of June, 2019, Sukhbinder Singh Dandiwal, Chief Managing Director, Rajender Kumar Saini and Satish Chaudhary, Managing Directors as well as Balbir Singh Saini and Pawan Kumar Saini, Branch Managers of Servhit Group of Companies induced him to invest amount in their company while holding out a representation that they would return back the same with substantial interest. It is alleged that being taken

in by the said representation, he became an agent of the company and got invested amounts of 300-400 persons in the said company but the company usurped the entire amount and did not return the same.

3. The learned counsel for the petitioner has submitted that he is not named in the FIR and has been nominated as an accused on the premises that the company had purchased some property in Rajasthan in the name of the petitioner with the amount of innocent investors. The learned counsel has submitted that he had nothing to do with the affairs of the company and the land in question was purchased in his name being a resident of State of Rajasthan as a non-resident of the State of Rajasthan cannot purchase a land in Rajasthan. The learned counsel has further submitted that since the other co-accused have already been granted bail, the petitioner, as such, deserves grant of bail on grounds of parity.
4. Opposing the petition, the learned State counsel has submitted that the petitioner is one of the Directors of the company and as such, was part and parcel of the entire scam of defrauding gullible investors and as such, he does not deserve the concession of bail. The learned State counsel has, however, not disputed that the co-accused have already been granted regular bail and that the petitioner has been behind bars since the last more than 5 months.
5. Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner has been behind bars since the last about 5 months and that the conclusion of trial is likely to take some time, further detention of the petitioner will not serve any useful purpose.

The petition, as such, is accepted and the petitioner is ordered to be

released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8.1.2020
kamal

(Gurvinder Singh Gill)
Judge

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