

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

CRM-M-20075-2020 (O&M)

Date of decision: 02.07.2021

Pardeep Sehrawat

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. Rajat Mor, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. S.S. Mor, Advocate for complainant-Kapil Gupta.

None for Raman Goyal etc.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Pardeep Sehrawat, an accused in FIR No.130 dated 05.03.2019, for offences under Sections 406, 419, 420, 506 IPC, Sections 4 and 5 of Chit Funds Act and Section 66-C and 66-D of Information Technology Act, registered with Police Station Sector-7, Faridabad.

Briefly stated the facts of the case as per prosecution story are that, petitioner/accused Pardeep Sehrawat was one of the directors of the company EB3COIN whose name was later on changed to ETHERECASH; all the dealings used to be done online through

website of the company; in the month of June, 2017, Chirag Jaitly and Dr. Deepak had introduced the complainant with petitioner/accused, who induced the complainant to invest a sum of Rs.1,28,00,000/- with him; initially, the petitioner paid profit to complainant by crediting the amount in the account of the complainant in the shape of digital money, however, subsequently, the petitioner/accused informed the complainant that on account of several technical reasons in the software of the company, they were starting a new website with new plan under the name of Digital Invest and the entire principle amount would be transferred there but it was not so done and rather, the complainant and other investors were cheated of their hard earned money; on matter being reported to the police, formal FIR was recorded.

Apprehending his arrest in this case, petitioner/accused had approached the Courts of Sessions at Faridabad by moving an application for grant of pre-arrest bail. His such application which was assigned to Addl. Sessions Judge, Faridabad, was, however dismissed, vide order dated 18.03.2020. Feeling aggrieved, the petitioner has approached this Court, craving for grant of similar relief.

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

Learned counsel for the petitioner has contended that the petitioner has since joined the investigation and has been released on

interim bail. The matter between him and the complainant has been amicably settled, as such, his petition be accepted.

Learned counsel appearing for complainant Kapil Gupta has conceded the amicable resolution of dispute between the petitioner and complainant, further stating that he has no objection if the present petition is allowed.

Learned State counsel, on instructions from SI Yogesh Kumar and Inspector Basant Kumar has conceded the factum of petitioner having joined the investigation, further stating that in view of the compromise between the parties, no recovery is to be effected from the petitioner and his custodial interrogation is not required.

Although on earlier dates, Mr. Neeraj Gaur had appeared for Raman Goyal etc., and stated that the petitioner has defrauded several other investors; he had stated that he would file an application giving necessary details in that regard; he was afforded time to do so but no such application has been filed as perusal of the file goes to show. However, in the reply filed on behalf of such Raman Goyal etc., it is contended that Kapil Gupta along with 62 more persons had filed a complaint against the petitioner and others before Chief Minister Window, Haryana on the basis of which, formal FIR was registered. However, police had shown only one complainant i.e. Kapil Gupta and there are some other FIRs against the present petitioner along with Chirag Jaitely and Dr. Deepak, one of which being FIR No.0073 dated

26.06.2018, whereas, one FIR was registered with Economic Offence Wing, Delhi. However, particulars of that FIR has not been furnished.

On being asked, learned State counsel has informed that the police had not received any other complaint except one moved by Kapil Gupta and as per his information, there is no other FIR against the petitioner.

There is no representation on behalf of Raman Goyal etc. today.

Keeping in view the facts and circumstances of the case, I find that the petition deserves to be accepted. Accordingly, the same is allowed. The interim bail granted to the petitioner, vide order dated 23.07.2020 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. that 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.

It is made clear that in case Raman Goyal or any other person got any grouse against the present petitioner, they may submit detailed complaints in that regard to the police, who would then proceed with the same in accordance with law.

02.07.2021

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(H.S. MADAAN)
JUDGE

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