

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 24325 of 2020

Date of Decision: 24.3.2021

Jitender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 322 dated 18.9.2019 under Sections 420, 120-B IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 (Haryana Act No. 32 of 2014) ('Act' for short), registered at Police Station DLF-II, District Gurugram.

Learned counsel for the petitioner submits that neither the petitioner has played any fraud with the complainant nor he has any role to play in the alleged commission of crime, rather the complainant has stated that he was lured by the petitioner. He further submits that out of the alleged amount of Rs. 3,30,000/-, the petitioner has returned Rs. 1,23,000/- to the complainant. He further submits that the maximum conviction for the commission of offence punishable under Section 3 of the Act, is seven years and the petitioner has been in custody since 23.12.2019.

On the other hand, learned State counsel submits that the total

amount, which is to be recovered from the petitioner, is Rs. 3,30,000/- out of which, he has returned Rs. 1,23,000/- to the complainant. He further submits that and two other cases of similar nature are pending against him, in which he is on bail and the next date for framing of charge is fixed for today i.e. 24.3.2021.

I have heard the learned counsel for the parties.

In the present case, out of the alleged amount of Rs. 3,30,000/-, the petitioner has returned the amount of Rs. 1,23,000/-. The petitioner has been in custody since 23.12.2019 and the complainant got lured for getting weekend high interest. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

March 24, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No