

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

204

CRM-M-2860-2021

Date of Decision: 02.03.2022

Saroj

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Bhupinder Ghai, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.218 dated 19.06.2019 under Sections 420, 406, 120-B and 506 IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013, registered at Police Station Rewari City, District Rewari.

The FIR was got registered with the allegations that Somdev Khola manager of Solarway Marketing India Private Ltd. had committed fraud of crores of rupees. It was alleged that Somdev Kholla and his brother Prithviraj had opened three offices at various locations in Rewari where they conducted their business. They allured many investors to invest money in their company and promised huge profits in return. When the investors demanded their money back then some cheques were issued in the name of some investors but the

amount could not be withdrawn on instructions issued by the accused to stop payment.

It is the case of the prosecution that during investigation it has been found that a huge amount of Rs. 304 crores had been collected from innocent persons. Prithviraj-younger brother of Somdev Kholla was arrested. In his disclosure statement he alleged that the petitioner was also involved in the affairs of the said company.

Learned counsel for the petitioner has argued that the petitioner has not been named in the FIR. Though the names of various employees had been mentioned. There is no specific allegation against the petitioner that either she received the money on behalf of the complainants or any other investor. He further argued that the petitioner is being implicated only because she is the wife of the main accused who was the chairman and managing director. Petitioner is a housewife. She was not in any way involved in the affairs of the Company. He further stated that as per the bank accounts of the petitioner seized during investigation only 7 lacs have been deposited in the account of the petitioner. He also states that the entire property of the accused as also the bank account of the petitioner has been attached. The petitioner is in custody since 02.11.2020. The investigation qua her is complete. Challan was filed on 26.12.2020 and charges have also been framed. There are total 47 prosecution witness, but none has been examined till date. The petitioner has two minor children, who are presently being taken care by the brother of

the petitioner.

In view of the above and the fact that the trial is unlikely to conclude in near future more so in the wake of outbreak of pandemic COVID. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Accordingly, without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Saroj is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

[HARINDER SINGH SIDHU]
JUDGE

March 02, 2022
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no