

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

201

CRM-M-18666-2018 (O&M)

Date of Decision: 20.12.2022

Puneet Goel & others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kunal Dawar, Advocate, for petitioner No.2.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Jaideep.

Mr. Gorav Kathuria, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner No.2 – Amit Goel seeks grant of anticipatory bail in respect of a case registered vide FIR No.78 dated 15.02.2018 registered at Police Station Kotwali, Faridabad, under Sections 420/406/506/34 IPC.
2. The FIR was lodged at the instance of Vikas Sardana, wherein it has been alleged that Anil Goel (expired), Amit Goel (petitioner No.2 herein) and Puneet Goel (expired) were Directors of M/s Peeyush Infrastructure India Pvt. Ltd. Puneet Goel took him to Nehru Ground, Shop No.D-11, which was a commercial space and represented that the same was his personal property and suggested to the complainant that he should invest an amount of Rs.50 lakhs in the same and that the said investment would give hefty returns. The complainant, being taken in by the said representation, believed him and gave a cheque amounting to Rs.15 lakhs favouring M/s Peeyush Infrastructure India Pvt. Ltd. and another amount of Rs.10 lakhs in cash. It has further been alleged that subsequently said

Puneet Goel took the complainant to Peeyush Mahindra Mall, NIT Faridabad, which was under construction and asked the complainant to invest an amount of Rs.1.5 crores while representing that the complainant would be able to earn profit from the same. The complainant believing him finalized the deal. It has been alleged that Puneet Goel later introduced the complainant to Amit Goel and Anil Goel, who all assured that the complainant would not be cheated. It has, thus, been alleged that between June, 2013 and June, 2015, the complainant gave an amount of Rs.75 lakhs in cash to the aforesaid three persons. It has been further alleged that subsequently from the year 2015 till the end of 2016, the complainant gave another amount of Rs.1 crore. It has also been alleged therein that one cheque amounting to Rs.60 lakhs and another for Rs.15 lakhs and yet another for Rs.51 lakhs were also given by the complainant to the accused. In all, an amount of Rs.1.85 crores is stated to have been given.

3. However, despite the accused having assured hefty returns, it later transpired that the accused were never the owners of the said properties and that neither any amount nor any property was given to the complainant.
4. Learned counsel appearing on behalf of petitioner No.2 has submitted that petitioner No.2 has been on interim bail in the present case since the last about 4 years and there is nothing on record to show that he has ever misused the concession of the same. It has further been submitted that now the matter has been amicably resolved with the complainant and a

settlement deed dated 19/20.12.2022 has been executed amongst the parties.

5. Mr. Gorav Kathuria, learned counsel representing the complainant has endorsed the factum of compromise. Even the complainant – Vikas Sardana, who is present in Court and duly identified by Mr. Gorav Kathuria, Advocate, upon a query made by this Court, has also admitted the factum of compromise and stated that he has no objection in case interim bail, as granted to the petitioner, is confirmed.
6. Opposing the petition, learned State counsel has submitted that petitioner No.2 has joined investigation, but since all the original documents have not been furnished and there are other victims as well, the petitioner does not deserves the concession of anticipatory bail. It has also been informed that the petitioner stands involved in 28 other similar cases.
7. Having regard to the facts and circumstances of the case and while also noticing that the matter stands amicably resolved amongst petitioner No.2, who is now the sole surviving accused and the complainant, the petition is accepted and the interim directions issued by this Court vide order dated 04.05.2018 are hereby made absolute subject to the condition that petitioner No.2 shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

20.12.2022

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**(GURVINDER SINGH GILL)
JUDGE**

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