

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 215

CRM-M-22949-2021

Date of decision : 14.02.2022

Sanjay Singh Mewada @ Sanjay Mewada

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Gautam Das, Advocate, and
 Mr.Govind Chauhan, Advocate, for the petitioner.

 Mr.Sumit Jain, Addl.A.G., Haryana.

 Mr.G.S.Sandhu, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.101 dated 13.02.2019 registered under Sections 420, 467, 468, 471, 120-B IPC and Section 3 of Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 at Police Station Gharaunda, District Karnal.

Briefly stated, the case of the prosecution is that the petitioner was chairman of Shri Ram Real Estate & Business Solution Ltd., M/s Ananya Group of Companies, M/s Herbal Fleet, M/s Sai Ram Buildtech, M/s Shri Ram Multi Pvt. Ltd. and M/s Samardiya Group Pvt. Ltd. (for short, group of companies); in such capacity he lured innocent investors to invest in the group of companies by representing to them that their invested amounts would be doubled/tripled in a short time; after the investments were made even the principal amounts of such investors were not returned; the invested amounts were diverted by the petitioner for his own use and in such manner the petitioner duped several innocent persons for a cumulative sum of several crores.

Learned counsel for the petitioner contends that the petitioner has been

falsely implicated in this case; the offence is alleged to have been committed between September, 2013 and March 2015 whereas the petitioner resigned from the chairmanship of all the group of companies in January, 2013; no amount so invested in the group of companies was transferred into any of the petitioner's personal bank accounts; the bank accounts of the group of companies reveal that the investors have been refunded their investments with added returns; in any case, the allegations are civil in nature of investments having gone bad; the petitioner is in custody since 23.03.2018; investigation in this case is complete; all other co-accused are on regular bail granted to them by this Court/Trial Courts; in 18 other similar cases that the petitioner faces he has been granted regular bail by the respective Trial Courts/High Courts/Supreme Court and that the petitioner's trial, which is yet to begin, will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner was the chairman of the group of companies which accepted deposits from at least 207 investors and duped them of their deposited sums and that if released on bail the petitioner may influence witnesses who are yet to be examined in his trial.

After considering the afore rival submissions and in particular after going through all the orders passed by the Trial Courts/High Courts/Supreme Court through which the petitioner, in 18 other similar cases, has been granted regular bail as also for the reason that investigation in the present case is complete, this Court is of the opinion that the petitioner be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Karnal, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

It is further clarified that if the petitioner is found indulging in any criminal act or misusing the concession of bail granted by this Court, it would be open

to the State to seek cancellation of the bail granted through this order by filing of an appropriate application before this Court.

14.02.2022
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[DEEPAK SIBAL]
JUDGE

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