

CRM-M-23629-2021
Balwinder Singh vs. State of Punjab

CRM-M-20734-2021
Jagsir Singh vs. State of Punjab

Present: Mr. A.S.Sekhon, Advocate,
for the petitioner in CRM-M-23629-2021.

Mr. Simrandeep S.Sandhu, Advocate,
for the petitioner in CRM-M-20734-2021.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Case heard *via* video conferencing.

CRM-M-20734-2021

Pursuant to the earlier order of this court, an affidavit of the SSP, Faridkot, has been filed. It has been admitted therein that the petitioner was not found to be a Director of the company in question at any time, but that he was involved in the running of the company, including, as per learned State counsels' instructions, its inception and promotion. However, the details of how that conclusion has been arrived at, have not been given.

Adjourned to 04.03.2022.

Another affidavit be filed by a gazetted officer annexing therewith material to show as to how the petitioner has been found to be a promoter and functionary of the company, even though he may not be a director.

It is also to be noticed by this court that in a circular issued by the Reserve Bank of India, various kinds of directors of companies have been defined, including a *de facto* director (though that term may not be available in the Companies Act), wherein a person who is actively taking part in the affairs of the company, may also be termed to be as such a *de facto* director.

Be that as it may, the question here is as to what material is available to connect the petitioner in this petition to the company as is stated to have defrauded a large number of people of large sums of money.

Naturally, any funds found to be transferred to the petitioner would also be referred to in the affidavit to be filed.

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Learned counsel for the petitioner submits that this petition being one by which the petitioner was seeking to be admitted to interim bail, it has been rendered infructuous, he already having been admitted to bail by this court vide an order passed in CRM-M-29627 of 2020.

Disposed of as such.

(A photocopy of this order be placed on the file of the connected case).

February 10, 2022

dharamvir//

**(AMOL RATTAN SINGH)
JUDGE**