

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27092-2021 (O&M)
Date of Decision:-31.3.2022

Rajeev Rana ... Petitioner

Versus

State of U.T., Chandigarh ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.P.S. Tung, Advocate for the petitioner.

Mr. Rajeev Anand, APP, U.T., Chandigarh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.124 dated 24.4.2018, Police Station Sector-17, Chandigarh under Sections 420, 406, 120-B of Indian Penal Code and Section 66 of Information Technology Act, 2000, wherein the allegations are broadly to the effect that the accused had cheated innocent investors on the pretext that in case they invest amount in '*Bitcoin*' (Cryptocurrency), they will get huge returns. The petitioner is otherwise not named in the FIR.
2. While granting interim bail to the petitioner on 5.8.2021, the following order was passed:

“It is not in dispute that although the name of the petitioner does not figure in the FIR but subsequently during the course of investigation the police received about 15-16 complaints from several investors and that one such complaint made by two persons was against the present petitioner, wherein it is alleged that they had invested an amount of ₹4 lakhs through the present petitioner.

Learned counsel for the petitioner submits that without admitting the allegations his client is willing to deposit an amount of ₹4 lakhs alleged to have been invested by the investors.

In view of the aforesaid submission, the petitioner is directed to deposit an amount of ₹4 lakhs before the Trial Court within a period of 4 weeks from today. In case, any such amount is deposited, the same shall be invested in some FDR in some Nationalized Bank, which shall be kept intact till the matter is finally decided. In case, the petitioner is found innocent, the FDR alongwith its proceeds shall be returned to him and in case the petitioner is found guilty, the Trial Court shall proceed to pass appropriate orders as regards the amount deposited as to whether the same is to be returned to the complainant or is to be forfeited.

List on 3.9.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the 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.”

3. Learned counsel for the petitioner submitted that pursuant to passing of order dated 5.8.2021, the petitioner has already deposited an amount of Rs.4 lakhs before the Trial Court and has joined investigation.
4. The aforesaid position is not disputed by learned State counsel.

5. In view of the aforestated position, wherein the petitioner has already deposited the amount, which is alleged to have been invested through him and has also joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 5.8.2021 are hereby made absolute, subject to the condition that the petitioner 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.

31.3.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No