

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

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**CRM-M-38182-2022 (O&M)
Decided on : 31.08.2022**

Ranjit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Nippun Sharma, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

CRM-31006-2022

This is an application, under Rule 3(A)(i), Chapter 6, Part-B, Volume-V, of the High Court Rules and Orders, seeking leave to appear, act or plead before this Court.

For the reasons mentioned in the application, the same is allowed as prayed for.

CRM-M-38182-2022

The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner – Ranjit Singh, who has been booked for having committed the offence punishable under Sections 406, 420, 34 of IPC, in FIR No. 37, dated 17.04.2021, registered at Police Station Division No.1, District Jalandhar, during the pendency of trial.

At the outset, learned State counsel has filed the custody certificate dated 30/31.08.2022 in Court today. Same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

As per the version of the prosecution, FIR dated 17.04.2021 (Annexure P-1), was registered on the basis of the complaint submitted by Manju Sharma (complainant) w/o Surinder Kumar Sharma for being cheated upon for an amount of Rs.7,70,000/-.

Learned counsel for the petitioner submits that petitioner is one of the Directors of the Company, which has been running for the last several years. He further submits that investor/complainant had no grievance against the Company till the time, they were getting returns on their invested money. And after Company started suffering losses, such kinds of several FIR(s) were lodged against the petitioner and the Company to pressurize. He further submits that there are fairly arguable points during the course of the trial showing the innocence of the petitioner. He further submits that further incarceration of the petitioner is not worth in this case.

In response to the submissions made by learned counsel for the petitioner, learned State counsel argues that it is a case of fraud of around Rs.25.00 crores and large number of people have been duped by the Company and it's Directors. About 26 FIR(s) stand registered against the Company/petitioner. He further submits that once petitioner is released on bail, he can apply undue pressure/influence over the victims/witnesses.

Without going into details of the cases, it is noticed that in the present case, there is an allegation of committing fraud of Rs.7,70,000/- and as per custody certificate, submitted by the State, petitioner has already undergone actual custody period of 01 year, 01 month and 23 days.

After considering the submissions of both the sides, and perusing the record with their able assistance, I find that there is some

substance in the contentions raised by the counsel for the petitioner. Petitioner has already undergone sufficient period inside jail and the present case is triable by Magistrate and conclusion of trial would take sufficiently long time. As per stand of the parties, in the present case report under Section 173 Cr.P.C., has already been submitted before the Court. Therefore, there would not be any use of keeping petitioner in the lock-up without any substantive gain or reason.

In view of the aforementioned facts and circumstances of the case and the submissions made by the parties, the present petition is allowed. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqua Magistrate/ Duty Magistrate concerned, if not required in any other case.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

(SANJAY VASHISTH)
JUDGE

August 31, 2022

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No