

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38555-2020 (O&M)
Date of decision: 11.03.2022

Gurwinder Singh @ Lucky Gehal @ Kabir

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.258 dated 11.11.2016 under Sections 420, 34 IPC, registered at Police Station Kotwali, District Bathinda.

On 23.02.2021, following order was passed: -

“...The FIR was lodged at the instance of Ravinder Singh who stated that he had invested an amount of Rs. 50 lacs by selling his house as well as gold ornaments with Crown Group of Company. The said company had assured to give them monthly interest @ 3% on the invested amount. However the complainant came to know through a news clip that the aforesaid company has decamped by usurping the amount invested by many persons like

the complainant.

During investigation it came to light that the number of other investors like the complainant have been de-frauded to amount of Rs.2,15,00,000/- i.e. Rs. 50 lacs invested by Ravinder Singh, Rs. 42.50 lacs invested by Devinder Singh, Rs. 50 lacs invested by Ashwani Garg, Rs.12.50 lacs invested by Hemant Kumar, Rs. 29 lacs invested by Amit Sehgal and Rs. 31 lacs invested by Mandeep Singh.

Learned counsel for the petitioner submits that the only role alleged against the petitioner is that in one meeting of the complainant with the main accused Jagjit Singh held on 28.09.2016, the petitioner had assured the complainant that said Jagjit Singh would return the amount invested by them. When the accused-Jagjit Singh did not return the said amount, the petitioner specifically warned the complainant that he doubted the intention of Jagjit Singh and that he may abscond without returning their amount.

The petitioner is in custody since 05.09.2020. The main accused has not yet been arrested. No useful purpose will be served by keeping the petitioner behind the bars till the conclusion of trial.

Without commenting anything on the merits of the case and also bearing in mind the custody period of the petitioner, the petitioner-Gurwinder Singh @ Lucky Gehal @ Kabir is ordered to

be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Learned State counsel seeks time to file affidavit in terms of the order dated 04.01.2020...”

Vide order dated 04.01.2021, it was directed to file an affidavit to explain about the efforts made to arrest other accused and in compliance of the same, reply by way of affidavit of Deputy Superintendent of Police, City-1, Bathinda is on record, in which it is stated that accused Jagjit Singh, Gurmeet Kaur, Manjeet Singh and Jaswinder Singh are yet to be arrested and they were declared proclaimed offenders and PO challan has been presented in their absence and the efforts are being made to arrest them.

In view of the above, this petition is allowed and the order dated 23.02.2021, granting interim bail to the petitioner, is hereby made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

11.03.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No