

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

CRM-M-45925-2021(O&M)

Date of decision: 02.03.2022

Manoj Kumar.

..Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ravi Kamal Gupta, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. Sanjiv Gupta, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 543 dated 06.11.2019, registered under Sections 120-B, 34, 409, 420 IPC and Section 4 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978, at Police Station Indri, District Karnal.

Learned counsel for the petitioner submits that the FIR was registered on the statement of Amit Kumar; that the petitioner has falsely been implicated in the present case; that as per the allegations, the petitioner along with co-accused has started a company, in which the money was deposited by the investors to double the same in 2.6 years; that there is a

delay in lodging the FIR, as the first transaction took place in May-2017, but the FIR was registered in the year 2019; that co-accused Sonu has already been granted the concession of anticipatory bail by a Coordinate Bench and the petitioner has been in custody since 04.01.2021.

He further submits that in other cases, the petitioner is on bail. Charges were framed way back on 27.08.2021 but none of the the prosecution witnesses has been examined so far.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposing the prayer for bail, submits that some amount was given in cash and the amount of Rs. 5 lakh was given through cheque bearing No. 649556 dated 05.06.2018. However, he does not dispute the custody period of the petitioner. He submits that the prosecution witnesses are yet to be examined.

At this stage, learned counsel for the petitioner though denies the allegations contained in the FIR, yet he submits that the petitioner, in order to show his *bona fide*, is ready to deposit Rs. 2,00,000/- with the trial Court, by way of a Demand Draft.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 04.01.2021. Co-accused Sonu has already been granted the concession of anticipatory bail. The prosecution witnesses are yet to be examined. The conclusion of the trial would take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate and further subject to the deposit of Rs.2,00,000/-, by way of a demand draft with the trial Court.

It is made clear that on receiving the demand draft, the same would be deposited in a fixed deposit with some nationalize bank, fetching the maximum rate of interest.

(HARNARESH SINGH GILL)
JUDGE

02.03.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No