

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

(I) CRM-M-42472-2022 (O&M)

Ankit Kumar ... Petitioner

Versus

State of Haryana ... Respondent

(II) CRM-M-45350-2022 (O&M)

Faheem ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-22.11.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dhruv Gupta, Advocate,
for the petitioner in CRM-M-42472-2022.

Mr. Vikas Lochab, Advocate,
for the petitioner in CRM-M-45350-2022.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Rajinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Ankit Kumar and Faheem seeking grant of regular bail in respect of a case registered vide FIR No.365, dated 4.12.2017, Police Station Mahesh Nagar, District Ambala, under Sections 120-B, 406, 420 of Indian

Penal Code, wherein offences under Sections 201, 467, 468 and 471 of Indian Penal Code were added later on.

2. The FIR was lodged at the instance of Sagal Preet Singh, wherein it is alleged that on 21.6.2016, he received telephone call from phone number 92054-27682 and the caller represented himself to be M.S. Grewal, Head of Department, Government Insurance Department and stated that an amount of Rs.2,51,750/- was due to be paid as insurance amount on account of demise of complainant's father, who had been serving Air Force. The said caller further represented that for the release of said group insurance amount of Rs.2,51,750/-, the complainant would be required to first deposit an amount of Rs.18,600/-. The complainant accordingly deposited the said amount and subsequently he was also asked to pay another amount of Rs.91,700/-, which was also paid. The complainant alleged that later the said caller enticed him into making investments in various schemes and thus deprived him of an amount of about Rs.33,25,300/-
3. Learned counsel for the petitioners submits that the petitioners are nowhere named in the FIR and that, in any case, it is highly unbelievable that a person would have invested an amount of about Rs.33 lakhs merely on the basis of telephone calls. Learned counsel for the petitioners has further submitted that when the complainant was examined during the proceedings of trial, he had turned hostile.
4. Opposing the petition, learned State counsel has submitted that although the petitioners are not named in the FIR but their involvement came to known when the bank accounts, in which the complainant had deposited the amount, were examined. It has further been informed that since the petitioners had

deprived the complainant of huge amount, they do not deserve the concession of bail. It has also been informed that while the petitioner Faheem (in CRM-M-45350-2022) has been behind bars since the last about 5 months, the petitioner Ankit Kumar (in CRM-M-42472-2022) has been behind bars since the last about 8 months. It has also been informed that as on date only 1 PW out of the cited 30 PWs has been examined. Learned State counsel has informed that the petitioner-Faheem (in CRM-M-45350-2022) stands involved in two other cases.

5. This Court has considered the rival submissions.
6. Without commenting anything as regards merits of the case but while noticing that the petitioners have been behind bars for a substantial period of 5-8 months and conclusion of trial is likely to consume time inasmuch only 1 PW out of the cited 30 PWs has been examined so far, further detention of the petitioners will not serve any useful purpose. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A copy of this order be placed on the file of connected case.

22.11.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No