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

CRM-M-4716-2023 (O&M)
Date of Decision: 06.02.2023

Pardeep Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Samina Dhir, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.358 dated 08.09.2018 registered under Sections 420, 406, 467, 468, 471, 120-B IPC and Sections 4, 5 and 6 PCMCS Act, 1978 and Section 3(2) Haryana Protection of Interest of Deposits in Financial Establishment Act, 2013 at Police Station Sadar Fatehabad. The petitioner is in custody since his arrest on 30.03.2019.

The above FIR was registered on the basis of a complaint dated 28.07.2018 by complainant-Anil Sihag, wherein he alleged that thousands of fake companies are doing their business in India and one such company, namely, Future Maker Life Care Private Limited, Head Office at D.S.S. 45, Red Square Market, Hisar (Haryana) has engaged agents for sale of their products, who by alluring innocent people used to collect cash in crores from them and this activity also causes tax loss to the government. The company is engaged in illegal business and has not set up any industry, muchless to manufacture any product. The company is tied up with other companies and without purchasing any material is showing only paper transactions. The company everyday receives an amount of Rs.10 crores in cash from its agents, and against it no receipt/bill is issued. In this way, all over India company used to collect approximately an amount of Rs.40 crores, and only used to issue bill relating to its products @ Rs.7500/- per person after a period of 15 days from the date of the receipt of the cash from its agents by generating Ids. The company used to give hefty refunds to its agents every month through bank accounts, and the complainant had deposited a sum of Rs.2,52,000/- cash with company, whereupon after 15 days, upon receiving IDs of other persons from complainant, it had issued different bills pertaining to its products with a promise to return an amount of Rs.5 lakhs, in a period of 24 months from the date of deposit. The complainant alleged that the company is not paying any income tax, who requested for an inquiry and on these broad allegations, the above FIR was registered.

Learned counsel for the petitioner has argued that the similarly situated co-accused have been released on bail by this Court vide order dated 09.01.2023 and the case of the petitioner is at par with them. Learned counsel has pointed out that though the charges were framed on 29.11.2022, but only twenty five prosecution witnesses have been examined so far out of total 672 witnesses. She prays for regular bail.

Learned State counsel assisted by ASI Sajjan Singh does not dispute the above stand of the petitioner that the case of the petitioner is at par with other co-accused, who are on bail.

After hearing the learned counsel for the parties and considering the custodial period of the petitioner as well as the fact that the similarly situated co-accused have already been released on bail, this Court does not find any reason to further detain the petitioner behind the bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

06.02.2023
Jasmine Kaur

Whether speaking/reasoned Yes No
Whether reportable Yes No