

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-7340 of 2020(O&M)
Date of Decision: 18.04.2023

Ranjeet Bansal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Amrinder Kaur, Advocate
For the petitioner.

Mr. Naveen Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 513 dated 26.12.2019, registered under Sections 4, 5 and 6 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Sections 120-B, 406 and 409 of Indian Penal Code at Police Station Bhuna, District Fatehabad.

The allegations in nutshell are that the accused persons projected that they were running chit fund company in Punjab and they lured complainant Baljeet Singh and then he deposited Rs.5,67,059/- with the said company through cheque and the officials of the company gave him assurance that company will pay interest @ 3% per day and three times the invested amount would be returned to the investor in next 100 days. However, just within next 60 days the office of the company was closed and all its office bearers fled away and no amount has been returned to the complainant.

The counsel for the petitioner, *inter alia*, contends that the petitioner was an employee of the company which was run by Kapil Singla

and the entire finances of the said company was managed by said Kapil Singla and the money was being collected from different persons by the employees of the company and the said employees were not getting any share out of said collection of money. The counsel for the petitioner further submits that the petitioner has joined the investigation with the police and is having no criminal history.

The State counsel, on instructions from SI Mahender Singh, has not disputed the fact that the petitioner has joined the investigation with the police and further apprised the Court that main accused Kapil Singla is absconding.

Undoubtedly, this Court cannot act as a recovery agent to effect the recovery of alleged amount deposited by the complainant with the company run by Kapil Singla. It is a matter of evidence as to if the petitioner was having some share in the total amount collected by the company from different investors. The petitioner has already joined the investigation with the police.

Thus, without commenting on the merits of the case present petition is allowed and order of interim bail dated 19.02.2020 is hereby made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. However, in future the petitioner is directed to join the further investigation as and when called to do by the police.

(KARAMJIT SINGH)
JUDGE

18.04.2023
Jiten

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No