

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

**CRM-M-27580 of 2023 (O&M)
DATE OF DECISION: 06.07.2023**

Praveen Sethi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE ARUN MONGA

Present: Mr. Premjit S. Hundal, Senior Advocate with
Mr. Vikramjit Singh, Advocate,
For the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Anmol Puri, Advocate for the complainant.

ARUN MONGA, J. (ORAL)

Aggrieved on being declined bail by learned Trial Court, petitioner before this Court, a real estate agent by profession, aged 39 years, seeks his release as an undertrial in criminal case bearing FIR No.84 dated 15.02.2023, registered under Sections 406, 420, 467, 468, 471, 506, 120-B of the Indian Penal Code, 1860 (hereinafter referred to as "IPC"), at Police Station, Sector-50, Gurugram, Haryana.

2. Per FIR, Babita Yadav, a Director in M/s Unnati Private Limited, filed a complaint with the police, stating that she was approached by one Indu and Rajeev, who were acquaintances, in March 2018. They informed her about a celebrity cricket match organized by petitioner Parveen Sethi and Pawan Jangra, residents of Jaipur. They convinced her that investing money in the match would yield good profits. Later, Yadav and her friend Balbir met with Indu, Rajeev, Parveen Sethi (present

petitioner), and Pawan Jangra at The Lalit Hotel in Jaipur. During the meeting, the individuals claimed to be the owners of the Signature Cricket League and promised to arrange a match with the Board of Control for Cricket in India (BCCI) in Delhi. Convinced by their assurances, Yadav agreed to invest Rs. 1,50,00,000/- (1.5 crore) and a written agreement was executed. Yadav transferred Rs. 85 lakh from her company's account, while Rekha, Balbir's wife, transferred Rs. 15 lakh from her personal account to the petitioner's and Jangra's company. After three months, the accused visited Yadav's office and took Rs. 50 lakh in cash. However, no cricket match was ever organized. Yadav demanded her money back, which led to a meeting at Haldiram's in Sector 50, Gurugram. The accused took Yadav and Balbir near their car, where Parveen Sethi (present petitioner) allegedly pointed a pistol at them. He threatened them, claiming they had no money, and warned that any further demands would result in harm to them. The accused then left the scene in their car. In course of investigation, petitioner was arrested as an accused.

3. Learned Senior counsel for the petitioner submits that petitioner has been falsely implicated in the case. Petitioner himself had been cheated of Rs.35 lakh by co-accused Pawan Jangra. In this context, he also got an FIR No.705 of 2019, registered under Sections 420, 406, 120-B IPC at Police Station, Pratapnagar, Jaipur, Rajasthan against said Pawan Jangra. Nothing has been recovered from petitioner. Petitioner is in custody since 03.04.2023. Charge sheet has already been presented and conclusion of trial is likely to take long time, whereas petitioner has already been languishing in jail for more than two months in preventive custody.

4. Learned Senior counsel also strenuously argues that there is unexplained delay of four years in registration of FIR. He further submits that father of petitioner has died. He has two school going daughters and old aged mother to look after. He is the sole bread winner of the family. He has fixed abode and there are no chances of his fleeing from justice.

5. On the other hand, learned State counsel assisted by learned counsel for complainant, opposes the bail petition on the ground that allegations against the petitioner are serious in nature. Petitioner is a partner in Signature Cricket League in the account of which, a sum of Rs.1,25,00,000/- were transferred by complainant and wife of her another friend.

6. I have heard the rival contentions of learned counsels for the parties and have perused the case file.

7. Petitioner is in custody since 03.04.2023. Charge sheet has been filed and conclusion of trial will take long time, while petitioner continues to be in jail for the more than two months. I am of the view that no useful purpose would be served to keep petitioner in further preventive custody. The alleged crime purportedly committed by the petitioner is non-violent in nature. In case he is released on bail, there is no likely threat to the society. Considering the overall scenario and without commenting on the merits of case, instant petition is allowed.

8. Accordingly, petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court, where his case is being tried and in case he/she is not available, before learned Duty Judge, as the case may be.

9. In case, petitioner is found to be involved or gets involved in any offence while on bail, the prosecution shall be at liberty to seek cancellation of his bail in the instant case.

10. It is made clear that any observations made and/or submissions noted herein above shall not have any effect on merits the case as the same are for the limited purpose of bail hearing alone and learned trial Court shall proceed without being influenced with this order.

11. Pending application(s), if any, shall also stand disposed of.

JULY 06, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No