

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28008-2023 (O&M)

Date of decision: 06.07.2023

Randhir Singh

...Petitioner

VS

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE ARUN MONGA

Present: Mr. Vimal Kumar Gupta, Advocate,
For the petitioner.

Mr. Karan Garg, AAG, Haryana.

ARUN MONGA, J. (ORAL)

Aggrieved on being declined bail by learned trial Court, petitioner before this Court, seeks his release as an undertrial in criminal case bearing FIR No.43 dated 11.02.2020, registered under Sections 120-B, 406, 420 (467, 468, 471 IPC added later on) at Police Station Naraingarh, District Ambala.

2. FIR was registered on complaint of one Sadhu Singh. The prosecution allegations are that accused-petitioner along with certain other bank employees had floated Nationalized Bank Employer and other Public Cooperative T&C Society Limited and the residents of the area were invited to deposit promising repayments with higher rate of interest than what was being offered by the banks. It is alleged that a large number of residents of the area deposited their money in the shape of FDRs which on maturity have not been repaid. It is claimed that more than Rs.50 Crore deposited by around 300 people are/were struck.

3. Learned counsel for the petitioner submits that neither the petitioner allured any person nor is/was the beneficiary of the money. He submits that FIR was lodged under Sections 120-B, 406, 420 IPC and aforementioned offences are triable by learned Judicial Magistrate First Class. Petitioner is in custody since 28.09.2020. Nothing is to be recovered from the petitioner. No useful purpose would be served to keep the petitioner behind the bars to await the decision of trial of the case. Co-accused Harmir Singh was released on bail by learned Additional Sessions Judge, Ambala vide order dated 07.04.2022.

5. Learned State counsel strenuously opposes the instant petition. He submits that a huge amount of Rs.33 Crore is involved in the present case. Petitioner is also involved in another case of similar nature registered vide FIR No.255 dated 13.07.2022 under Sections 420, 120B IPC at Police Station Naraingarh.

5.1 In rebuttal, learned counsel for petitioner submits that FIR No.255 has been falsely registered against petitioner on 13.07.2022 subsequently, whereas he is in custody since 28.09.2020.

6. I have heard learned counsel for the parties and gone through the case file.

7. Petitioner is in custody since 28.09.2020. Investigation is complete. Challan has been presented. There are 317 prosecution witnesses and trial will take long time to conclude. Whereas, petitioner has already been languishing in jail for the past two years and nine months in preventive custody. Petitioner is stated to be sole bread winner of his family.

8. Considering the overall scenario and without commenting on merits of the case, the instant petition is allowed. I am of the view that no

useful purpose would be served to keep petitioner in further preventive custody.

9. 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.

10. 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.

11. It is made clear that any observations made hereinabove shall not have any effect on merits the case as the same are for the limited purpose of hearing the instant bail petition alone and learned trial Court shall proceed without being influenced with this order.

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

(ARUN MONGA)
JUDGE

06.07.2023
Vandana

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