

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

CRM-M-49574-2022 (O&M)
Date of Decision:-23.2.2023

Gurdeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohan Singh Chauhan, Advocate,
for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Darshan Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.80, dated 5.10.2019 at Police Station Mallanwala, District Ferozepur, Punjab, under Sections 420, 406 and 120-B of Indian Penal Code.
2. The FIR was lodged at the instance of Amrik Singh and some other aggrieved persons, wherein it is alleged that Mangat Ram Maini, Karandeep Maini and others had opened a Pig Farm Company under the name and style of 'M/s Sure Gain Solutions' in Ferozepur and by holding out representations of lucrative returns had allured the complainants and other innocent persons to invest amounts in their company. The accused had represented that the

amount invested in the company would grow 1½ times within a period of 7 months. It is further alleged that initially the profit/returns used to be credited in the bank accounts of the complainants but after 27.3.2019 no amount was credited and the accused represented that it was on account of imposition of the election code of conduct. However, even thereafter no amount was credited and later the accused eloped with their family.

3. Learned counsel for the petitioner submits that the petitioner was merely working as a Computer Operator on a fixed salary and had not benefited in any manner from the investments made by depositors/complainants.
4. On the other hand, learned State counsel has opposed the petition and has submitted that it is a scam of about Rs.300 crores, wherein the accused had defrauded the complainants and others of their hard earned money. Learned State counsel has, however, not disputed that the petitioner was an employee of the company and not any of the Directors/Owners of the company. Learned State counsel has further submitted that during the course of investigation it had surfaced that an amount of Rs.8 lakhs of some investors had been deposited in the bank account of one Harnek Singh on 30.4.2019 and that the said amount was later withdrawn and shared by the accused and an amount of Rs.3 lakhs fell to the share of the petitioner. Learned State counsel has informed that the petitioner as on date has been behind bars since the last about 1 year and 4 months and that the petitioner is not involved in any other case. It has also been informed that although challan has been presented but charges are yet to be framed and as many as 72 PWs have been cited.
5. This Court has considered the rival submissions addressed before this Court.

6. Undoubtedly it is a scam of great magnitude, wherein depositors/investors have been defrauded of an amount of Rs.300 crores. However, the petitioner is alleged to be working for the company as a Computer Operator only and there is nothing on record to suggest that he had benefited to a huge extent out of the said amount of Rs.300 crores. In any case, the petitioner as on date has been behind bars since the last about 1 year and 4 months. Conclusion of trial is likely to consume time inasmuch as 72 PWs have been cited and trial has not even commenced till date. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.2.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No