

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

CRM-M-56590-2022 (O&M)  
Date of Decision:-21.4.2023

Ram Gopal ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Alok Mittal, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,  
assisted by ASI Ashok Kumar.

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| FIR No. | Dated    | Police Station                        | Section/s                                                                                     |
|---------|----------|---------------------------------------|-----------------------------------------------------------------------------------------------|
| 75      | 9.2.2022 | Dabua, District<br>Faridabad, Haryana | 4, 76 of Chit Funds Act,<br>1982 and Sections 406, 420,<br>506 & 201 of Indian Penal<br>Code. |

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Anil Goyal, wherein it has been alleged that he had been participated in a “Committee” being run by the petitioner and in accordance with the investments made by him and other members an amount of Rs.65 lakhs was due to be paid to him as per the draw but the

accused had been dilly-dallying the matter and did not pay the amount and rather started threatening the complainant.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that there is no evidence worth credence as regards the alleged deposits made by the complainant.
4. Opposing the petition, learned State counsel has submitted that apart from the oral testimonies of the complainant and other investors, there is evidence in the shape of telephonic conversation, which had been recorded, which clearly shows the complicity of the petitioner. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 1 year and 1 month and that till date 3 PWs out of the cited 17 PWs have been examined including the complainant Anil Goyal though some other investors are yet to be examined. It has also been informed that the petitioner happens to be involved in one more case of similar nature i.e. FIR No.279, dated 10.6.2022 registered at Police Station Dabua, Faridabad, under Sections 120-B, 406, 420, 506 of Indian Penal Code and Sections 4 and 5 of Prize Chits and Money Circulation Schemes (Banning) Act.
5. This Court has considered the rival submissions addressed before this Court.
6. It is no doubt correct that specific allegations have been levelled against the petitioner, who is also named in the FIR. However, this Court cannot lose sight of the fact that the petitioner has been behind bars for a substantial period of more than 1 year and 1 month. Conclusion of trial is likely to consume time inasmuch as only 3 PWs out of the cited 17 PWs have been examined so far. In these circumstances, further detention of the petitioner will not serve any useful purpose.

7. 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.

21.4.2023  
pankaj

( Gurvinder Singh Gill )  
Judge

|                            |          |
|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |