

2024:PHHC:049249

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-10958-2024 in/and
CRM-M-5032-2024
Date of decision : 10.04.2024

Malkeet Singh Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

CRM-10958-2024

This is an application seeking early hearing of the main case.

Counsel for the State pleads no objection.

For the reasons mentioned in the application, the same is allowed and the main case is taken on board today itself.

CRM-M-5032-2024

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0015 dated 19.01.2023, registered for the offences punishable under Sections 120-B, 406 and 420 of IPC, 1860 (Sections 467, 468 and 471 of IPC added later on) at Police Station City Pehowa, Kurukshetra, District Kurukshetra.

2024:PHHC:049249

2. FIR was registered on the complaint made by one Atam Parkash Sharma who alleged as under:-

“xx xx xx

Sir, with due respect it is submitted here that we all are residents of Kurukshetra and are peace loving and law abiding citizens. Accused Pardeep Tanwar, Malkeet Singh, Hari Om Rana, Rahul Rana all these persons are running a company jointly. The name of the company is Tetherworld, whose name they have now changed to Dolphin International. Accused Pardeep Tanwar used to tell himself to be the MD, General Manager, that he himself is the owner of the company and I am doing crypto trading and forex trading and my office is situated at Jaipur, which is operated by my partner. I and my three companions look after the field work. In order to gain the faith he told that he retired from Army and is doing work in the crypto currency since long. He told us that anybody can work in this company. We were told and made understand that you invest the money of your any friend or any relative and your this amount will get double in 120 days. We all start the work as per their asking, thereafter, the above said accused make us understand regularly and kept on giving information. The above said accused persons use to keep meetings in big hotels and give information about the company. And bears the expenses of the meeting themselves. The work of the company continued for 20 days but nobody gets the money, the peoples start talking with the MD on not getting the money. He repeatedly kept on assuring that up-gradation in the software is going on, because of

2024:PHHC:049249

that the payout will not be given for the next 7 days. Accused persons told us that on 15.09.2022 the your payout will be made on trust wallet. People were befooled on dated 15th by giving fake token, whose value is zero. At that time then we tried to contact the above said accused persons then the phones of the accused were found switched off and since then accused of the company are underground. That in case action be not taken against the above said accused persons then they may go abroad with crores of rupees of the people. Kindly their passport be seized. Therefore, sir strict legal action be taken against the above said persons and our money be got recovered from the above said accused persons. Thanking you, dated 20.09.2022. Sd/- Applicant Atam Parkash Sharma.”

3. Counsel for the petitioner submits that apart from the fact that the petitioner has been named in the FIR as accomplice to the main accused Pardeep Tanwar, there is no allegation of inducement against him. All the allegations of inducement are against Pardeep Tanwar. Petitioner is behind bars since 24.03.2023. Challan stands presented on 05.05.2023 and even the trial has proceeded considerably as 10 out of 25 cited witnesses stand examined.

4. State counsel on the other hand opposes the bail plea submitting that number of innocent persons have been duped and there are two more FIRs against the petitioner involving same allegations.

5. In the considered opinion of this Court, keeping in view the and the nature of allegation and the fact that the trial has proceeded considerably, there cannot be any apprehension that the petitioner shall

2024:PHHC:049249

tamper with the evidence and thus the custody of the petitioner cannot be allowed to be prolonged as a punitive measure, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

10.04.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No