

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(212)

2024:PHHC:050161
CRM-13346-2024
Date of Decision: 15.04.2024

Parmod --Petitioner

Versus

State of Haryana --Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL.

Present:- Mr. S.S. Nain, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR No.	Dated	Police Station	Section/s
85	07.4.2021	HSIIDC Bar, District Sonipat	406, 420, 506, 201 and 120-B IPC

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 complainant stated that in the month of July, 2016 accused namely Suman, Parmod and Sunil met him and introduced themselves to be directors of Great Growth Limited. They further informed that their company is a Govt. approved company and opens accounts of general public in various schemes and on maturity of the scheme, their company pays interest to the investors. Accused requested the complainant to open an account in the company in scheme but he refused. Later on, accused showed him documents and details of the amount invested by various people and won the confidence of the complainant. The accused told the complainant that their company works as per Govt. instructions. The company has registered office at Shop No.8, Roman Court, Ansal City, Kundli, Sonapat.

On the persistent request of accused, the complainant agreed to open an

account in the company. On 20.07.2016 the complainant agreed to invest in the scheme of the company @ Rs.3,000/- per month. Further, the scheme was to mature after 24 months and the accused assured to pay back the money and proceeds after its maturity. Accused also handed over a passbook to the complainant. In this manner, complainant uptill 18.06.2018 deposited an amount of Rs.72,000/-. When after maturity of the scheme, the complainant contacted the accused then they assured to pay the amount to the complainant shortly. In the month of June, 2020, accused assured to pay the amount to the complainant after Lock Down ends. The accused continued seeking more time till September, 2020 but till today, they have not paid even a single penny to the complainant. When complainant told the accused that if they do not return his money then he has to take recourse to law, then accused got enraged and issued threats to eliminate him. They openly stated that they have committed fraud and cheating likewise with other persons and if complainant moved any complaint against them then he will be killed.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of some misunderstanding which has now been resolved and that as a matter of fact a petition for quashing of the FIR has already been filed in this Court, wherein statement of the complainant namely Ranbir has already been recorded to the effect that matter stands compromised and he has no objection for quashing of the FIR in question.

4. Opposing the petition, learned State counsel has submitted that since the matter is still under investigation and that during investigation particulars of some other persons who may have been cheated by the

petitioner could surface, therefore, no case for grant of bail is made out. Learned State counsel has, however, feigned ignorance about the compromise. Learned State counsel informed that the petitioner as on date has been behind bars for the last 03 months and 05 days and that he is involved in two other complaint cases under the Negotiable Instruments Act.

5. This Court has considered the rival submissions addressed before this Court.

6. Keeping in view the totality of the facts and circumstances of the case, particularly the fact that the matter is stated to have compromised, the petition merits acceptance and is hereby accepted.

7. The petition, as such, is allowed 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.

(GURVINDER SINGH GILL)
JUDGE

15.04.2024
lucky

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No