



CRM-M-52361-2024

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235 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-52361-2024
Decided on : 25.10.2024

Kuldeep Singh Maan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Neha Shukla, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.469 dated 04.10.2018 under Sections 406, 420 (Section 506 r/w 34 and 120-B IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Established Act, 2013 added later on) registered at Police Station Pehowa District Kurukshetra.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 28.12.2020 in a Magisterial Trial; the case of the prosecution is based on documentary evidence, and all the material witnesses have already been examined. Thus, it has been urged that there is no likelihood of the petitioner tampering with evidence, if released on bail. Additionally, it has been pointed out by the learned counsel for the petitioner that 44 prosecution witnesses still remain to be examined.



Hence, conclusion of the trial would take considerable time. A prayer has, therefore, been made in light of the petitioner's prolonged custody period, for being extended the concession of bail.

3. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel for the petitioner by arguing that the petitioner is prime accused in a Ponzi scheme that has duped approximately 43 innocent persons of an astounding sum exceeding Rs.43 crores. Learned State counsel, on instructions, has submitted that the petitioner is a man of criminal antecedents, as he is involved in five other cases of similar nature, where also he is an accused of duping and defrauding innocent people of crores of rupees. It is contended that the delay in the trial is primarily attributable to the petitioner's involvement in other criminal cases, for which, he has to be produced during different dates of hearing before multiple Courts. A prayer has been made to the effect that given the involvement of the petitioner in numerous cases, the petitioner may abscond, if released on bail, which would result in further delay in the conclusion of the trial. A prayer has, therefore, been made for dismissal of the present petition.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. *Prima facie*, there are serious and grave allegations against the petitioner, as detailed in the FIR, which has been reproduced in the body of the petition. The petitioner is an accused of actively participating in defrauding about 43 persons in this case, amounting to more than Rs.43 crores. Additionally, he is facing trial in multiple other criminal



cases where he is similarly alleged to have exploited and cheated innocent people out of substantial sum of money.

6. Given the severity and specificity of the allegations against the petitioner, this Court does not deem it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. At this stage, learned counsel for the petitioner has prayed for issuance of directions to the Trial Court to expedite the trial.

8. Considering the long custody period of the petitioner and the fact that only 18 prosecution witnesses have been examined so far, the learned Trial Court is hereby directed to make earnest efforts to conclude the trial at the earliest, preferable within a period of four months. Both the prosecution and defence are expected to extend full cooperation to the learned Trial Court to ensure the expeditious conclusion of the trial.

25.10.2024
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(MANJARI NEHRU KAUL)
JUDGE

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