



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

210-1

**CRM-M-58119-2023
Decided on :09.09.2024**

LALIT MATTA

. . . Petitioner(s)

Versus

STATE OF UT CHANDIGARH

. . . Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. Nitesh Jhahria, Advocate
for the petitioner(s).

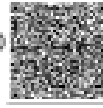
Mr. Akashdeep Singh, Advocate, APP, U.T., Chandigarh.

KIRTI SINGH, J. (Oral)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in case FIR No.97 dated 22.09.2023 under Sections 419, 420 and 120-B of IPC registered at Police Station Cyber Crime, District Chandigarh.

2. The brief facts of the case are that the present FIR has been registered on the basis of a complaint of Mr. Parmod, resident of Chandigarh, wherein it has been alleged that in September 2020, he received a call from Shubham Chauhan, having a mobile number 9311795401 and the said person communicated that he runs a company namely YAMARKET in FOREX trading, which is similar to the stock market and assured that the Complainant will get returns from 10% to 25%. Complainant deposited a sum of Rs.7,27,000/- in the account provided to him. Subsequently, the accused stopped answering the calls of the complainant, nor did he return his money.

3. Learned counsel for the petitioner draws the attention of this Court to Annexure P-2, which is compromise effected between both the parties in which disputed amount of Rs.14,50,000/- and Rs.7,27,000/- has



been returned by the petitioner to the complainant. He further submits that the petitioner has already undergone an actual custody of 01 month and 04 days and is not involved in any other criminal case.

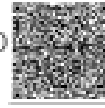
4. Learned State counsel has filed custody certificate dated 07.09.2024 in Court today, which are taken on record. As per the custody certificate, the petitioner has undergone actual custody of 01 month and 04 days and there is no other case pending against him. Moreover, on instructions, he submits that challan was presented on 18.01.2024 and charges are not framed yet. He however, submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

5. Heard.

6. The veracity of the allegations levelled against the petitioner shall be established during the course of the trial. Admittedly, the petitioner has undergone actual custody of 01 month and 04 days and he is not involved in any other criminal case. It is also apparent that the matter has been amicably settled between the parties and the disputed amount has been returned to the complainant. Consequently, the petition is allowed and order dated 23.11.2023 is made absolute.

7. The petitioner shall also abide by the following conditions:-

- (I) The petitioner will not tamper with the evidence during the trial.
- (II) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (III) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (IV) The petitioner shall not commit an offence similar to the



offence of which he is accused of, or for commission of which he is suspected.

(V) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(KIRTI SINGH)
JUDGE

09.09.2024

Kavita

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