2024:PHHC:011668

[241] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58897-2023
Date of Decision : 29.01.2024

Ishwar …Petitioner

versus

State of Haryana ….Respondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. R.S. Randhawa, Advocate with
Ms. Tarranum Madan, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

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DEEPAK GUPTA, J. (ORAL)

[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.0104 dated 16.02.2023 under Section 3 of the Protection of Interest of Depositors in Financial Establishment Act, 2013 and Section 420 of the Indian Penal Code (later on offences under Sections 406, 201, 192 and 193 IPC added), registered at Police Station Sadar, District Bhiwani.

[2] Status report by way of affidavit dated 26.01.2024 of Shri Ramesh Kumar, HPS, Deputy Superintendent of Police, Head Quarters, Bhiwani, Haryana, on behalf of respondent-State along with custody certificate dated 27.01.2024 have been filed in Court today. The same are taken on record.

[3] As per the prosecution allegations, petitioner and others allured the complainant to invest an amount of Rs.1,22,00,000/- in their company. It is alleged that petitioner had received Rs.2,00,000/-.

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[4] Learned counsel contends that the petitioner has been falsely implicated that similarly situated co-accused Ram Niwas, who was alleged to have received an amount of Rs.20,00,000/- was granted anticipatory bail by this Court vide order dated 09.10.2023 in CRM-M-37336-2023 (Annexure P-2).

[5] Learned Counsel also informs that one more co-accused Sushila Devi, against whom allegations were to have received an amount of Rs.7,52,000/- was also allowed anticipatory bail by this Court.

[6] Learned State Counsel does not dispute the aforesaid contention to the effect that attribution to the petitioner is to have received an amount of Rs.2,00,000/-.

[7] As per the custody certificate, the petitioner is in custody for the last 04 months and 19 days, though, he is involved in two more cases.

[8] Having regard to the role attributed to the petitioner and the fact that trial may take time to conclude, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

29.01.2024
'Rajneesh'

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

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