



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

125

CRM-M-54760-2024 (O&M)
DATE OF DECISION: 05.11.2024

DEEPAK BEDI AND ANR

...PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Saurabh Arora, Advocate for
Mr. Vikas Kuthiala, Advocate for the petitioner(s).

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)1. Relief Sought

The jurisdiction of this Court under Section 482 of the BNSS for grant of anticipatory bail in private Complaint bearing No. 1711PC/4/24 dated 07.10.2024 (Annexure P-3).

2. Prosecution story, set up in the present case as per the version in the complaint reads as under :-

'It is requested that | Akshay Goyal son of Sunil Kumar Nehru is resident of Mandi Bagha Purana District Moga. I have been cheated by Deepak Bedi son of Tarlok resident Moga in the matter of the project. Project "Chhotu Maharaja" whose purchase price was 5605000/- (Fifty Six Lakh Five Thousand). We did not know anything about this project, nor did we show anything about this project. First Deepak Bedi deposited some amount to us and after some days he took the said deposit amount back. The total agreement for this project was only Rs. 16,00,000/- (Twenty seven thousand five hundred) and we have



been cheated by telling us more. He had deposited Rs.2427500/- (Twenty Four Lakh Twenty Seven Thousand and Five Hundred) rupees from us. This project is of whom her name is Pinki, Wife of Arun Kumar resident of Prem Nagar, Najaf Gadh, Delhi. Even now Deepak Bedi talks nothing about it and nor does he ask to give our money. When we talk to him about it, he talks about giving us property in return but shows no property. But we are in favor of taking back the money given to him in cash. So, please take appropriate action against Deepak Bedi and his accomplices and kindly return our due amount.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and rather complainant along with his wife and father committed a fraud with the petitioners and now in order to save themselves, the complainant is filing false applications against the petitioners by concocting false stories to grab their money.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating Officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that there are serious allegations of embezzlement of money have been levelled against the petitioners, therefore, they do not deserve the concession of anticipatory bail.

4. Analysis

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties and the fact



that no recovery is to be made from the petitioners, this Court finds no reason to deny the petitioners the concession of anticipatory bail, wherein the petitioners have bona fide intentions and are willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Decision**

Hence, in view of the admitted set of circumstances before this Court, the petitioners are hereby directed to be released on anticipatory bail subject to their joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

05.11.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>