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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-54986-2024
Date of decision:-10.12.2024

RAVINDER ALIAS NAWAB DHAMA
... Petitioner
Versus
STATE OF HARYANA
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Rakesh Bhatia, Advocate for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed status report by way of affidavit dated 03.12.2024 of Deputy Superintendent of Police, Detective, Hisar, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for grant of regular bail in the following case:-

FIR No.	Dated	Sections	Police Station
242	27.08.2024	420, 406, 120-B IPC	Urban Estate, Hisar

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner is neither the Director of the said Company nor beneficiary of any such transactions and has been implicated on flimsy

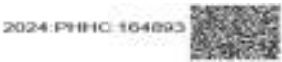


ground. He is in custody since 17.09.2024 and only ₹3400/- has been recovered from him and he has no concern with the alleged transactions involving the Company. He contends that even as per the allegations in the FIR, he is at the most, introducer to the complainant but not beneficiary of any such transaction. He submits that the petitioner is not having any criminal antecedents and after completion of investigation, challan has already been presented in Court. Hence, he prays for grant of regular bail to the petitioner.

5. *Per contra*, learned State counsel has not disputed the factual matrix of the case but claimed that the petitioner had allured the complainant with lucrative offers and introduced the complainant with the Director of the Company. He, however admits that consequent upon the arrest of the petitioner, ₹3400/- was recovered from him and, challan has already been presented in Court, wherein the prosecution has cited 17 witnesses and till date none of them have been examined.

6. After considering the rival contentions and perusing the record, it transpires that instant FIR was registered on the complaint of one Vikas alleging that petitioner introduced him to Vinod Kumar Dhama, Director of M/s Kalpvriksh Trading Master Technology Pvt. Ltd. The complainant had invested around ₹50 lakhs in the said Company and now the Company has neither returned the money nor paying any benefit to the complainant.

7. Admittedly, the petitioner was arrested on 17.09.2024 and during course of investigation ₹3400/- was recovered from him. It has come out specifically in the reply filed by the State that the petitioner is not the beneficiary of any such transaction, as the amount in question was deposited



in the account of the Company of which the petitioner is neither a Director or a office bearer. At the most, the role of the petitioner is of introducer to the Director of the said Company. After completion of investigation, challan has already been presented in Court wherein prosecution has cited 17 witnesses but till date none of them have been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case triable by the Court of Magistrate will take sufficient long time.

8. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

10.12.2024

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No