

2025:PHHC:063924



219.

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

CRM-M-9657-2025 (O&M)

Date of decision: 14.05.2025

Amit Kumar Luthra

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ajay Sharma, Advocate, for the petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-7161-2025

Application is allowed, as prayed for.

CRM-M-9657-2025

1. Prayer in this petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.633, dated 02.12.2019, under Sections 406, 420, 201, 120-B of IPC and Section 76 of Chit Fund Act, 1982, registered at Police Station Ambala Cantt., Ambala.
2. Learned counsel for the petitioner submits that in a magisterial trial, the petitioner has now been in custody for more 02 years having been rearrested on 05.04.2023 after he was granted the concession of interim bail at the time of outbreak of covid pandemic. It has been submitted that the possibility of the trial concluding in the near future does not arise as it is a

matter of record that as many as 61 prosecution witnesses have been cited, however, till date, only 14 of those witnesses examined, which includes some of the material witnesses, who were allegedly duped by the petitioner on the pretext of lucrative returns on the money deposited by them into the Company of the petitioner and co-accused.

3. On a pointed query as to whether the petitioner is involved in any other case of identical nature, he has categorically replied in the negative, however, has submitted that there are 02 criminal cases pending against the petitioner under Section 138 of Negotiable Instruments Act.

4. *Per contra*, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite and has drawn the attention of this Court to the allegations levelled in the FIR in question which has been annexed as Annexure P-1. It has been argued by the learned State counsel, on instructions, that although the FIR has been lodged at the instance of only Suman Chopra, however, there were many other innocent persons, who had been similarly duped by the petitioner and co-accused by luring them into investing their money, through cash as well as in some cases through bank transactions, after assuring them that their invested money would be doubled. Learned State counsel, however, on instructions, has not been able to dispute that only 14 prosecution witnesses have been examined so far which also includes the complainant.

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

6. The petitioner has been in custody since 05.04.2023. The possibility of the trial concluding in the near future does not arise.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner in the instant case which is triable by Magistrate.

8. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

9. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

**(MANJARI NEHRU KAUL)
JUDGE**

May 14, 2025
sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No