IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.50273 of 2025
Date of Decision: 07.11.2025
Reserved on: 30.10.2025

Joginder Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ajit Singh Lamba, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Narender Kaajla, Advocate,
for the complainant.

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MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
238	16.05.2023	Hisar Civil Lines, District Hisar	406, 420, 477, 506 and 120-B of IPC and 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of a

written complaint submitted by the complainant Pradeep Bamal alleging that he was having friendly relations with the present petitioner and accused Vikram Dev since long. He alleged that the petitioner Joginder Singh and co-accused Vikram Dev were running a society in Hisar for the employees of different departments of the Government. They had won the trust of the complainant by representing that on investing money with the society, the same would remain safe and he would be earning handsome interest. Believing them and on being induced by them, the complainant as well as his family members and relatives had deposited different amounts of money total amounting to Rs.70 lakhs with the above named society. The petitioner and accused Vikram Dev used to take money from the houses of depositors including the complainant and even used to give the FDRs to them at their respective houses. When some FDRs of the complainant matured in the year 2021, the complainant asked them to release the amount of the same but they kept on putting off the matter on one pretext or the other and ultimately refused to give any money to the complainant and rather extended threats to kill him. The other depositors were given the same treatment by them. While alleging that the petitioner along with the co-accused had cheated him and his relatives/family members, he prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. It was found that the money of depositors was withdrawn by the petitioner and the co-accused from the account of the society for the purpose of personal benefits and they had purchased plots/properties by payment of advance consideration for such purchases and had incurred expenditure

towards the operation of a private security agency.

4. As per the further allegations, even it was revealed that the petitioner and co-accused Vikram Dev had formed a separate entity under the name of The Sakshadeep Co-operataive Multi Purpose Society Limited, Hisar and transactions were done through that society also, despite the fact that the premises of that society were not related to the legitimate functioning of the same. The petitioner and co-accused Vikram Dev were joined into investigation on 18.02.2025 and were formally arrested. The petitioner suffered disclosure statement to the effect that he had disposed of the record of the society by throwing the same into a canal and had retained certain vouchers. He got recovered a sum of Rs.75,000/- along with vouchers. The accused Vikram Dev also suffered disclosure statement admitting his involvement in the crime. Investigation now stands completed.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. He was not holding any post in the alleged Society. He himself is a victim since he had been depositing money with the society since the year 2000 and a sum of more than Rs.80 lakhs had been deposited by him, has not been returned. No specific role has been attributed to him. He is not required for further investigation as the same stands concluded. He has a permanent abode. There are no chances of his absconding. His further incarceration would not serve any useful purpose. His involvement in other case cannot be considered to be a reason for denying benefit of bail to him. The trial will

take considerable time to conclude as none out of 46 witnesses has been examined so far. It is, therefore, urged that he deserves to be released on bail.

6. Per contra, learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant has argued that keeping in view the gravity of the allegations as levelled against the petitioner and his antecedents, he does not deserve to be extended benefit of bail and that there are chances of his absconding also.

7. This Court has considered the rival submissions.

8. The petitioner along with the co-accused is alleged to have induced innocent depositors including the complainant to deposit their hardearned money in a society alleged to have been run by him along with the co-accused, with intent to usurp that money and to cause wrongful loss to the complainant and others. The money as deposited by the depositors/complainant had been converted to their own use by the petitioner and the co-accused. Though the allegations prima facie show his complicity in the crime, however, pre trial incarceration of an accused should not be a replica of post conviction sentencing. As per the custody certificate, the petitioner is in custody since 18.02.2025. Investigation now stands concluded. There is no basis for the apprehension that the petitioner will abscond. The continued detention of the petitioner will not serve any useful purpose as trial will take considerable time as no prosecution witness has been examined so far. No doubt, he is stated to be involved in two more case

of similar nature but he cannot be denied benefit of bail due to that reason alone. In view of the above discussed facts, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties in the like amount each to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

9. In addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

> (i) He 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/her from disclosing such facts to the Court or to any Police Officer.
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> (ii) He shall deposit his passport, if any, with the learned trial Court;
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> (iii) He will also disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

10. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application

seeking cancellation of the bail.

11. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(MANISHA BATRA)
JUDGE

07.11.2025
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No