

Present:Sh.Lovepreet Singh Walia, Advocate for applicant/accused.
Sh.Navdeep Goyal, Additional Public Prosecutor for State with
HC-Virdavinder Singh, PS, Khanauri.

ORDER:

Police record produced. Learned Additional Public Prosecutor for the State has already produced report of HC-Virdavinder Singh, PS, Khanauri, be placed on file. Report of Ahlmad perused.

2 Heard on first bail application under Section 482 BNSS filed by applicant/accused Ravi Sethi, in case FIR No.77, dated 06.08.2024, under Section 420 IPC, PS, Khanauri.

3. Learned counsel for the applicant/accused has vehemently argued that applicant/accused is innocent and has been falsely implicated in this case. He has further argued that he has not committed any offence. He has also argued that nothing is to be recovered from the applicant/accused, who is ready to join investigation. Lastly, he has prayed to allow the present bail application.

4. These contentions have been rebutted by learned Additional Public Prosecutor for the State contending that complainant used to purchase books and stationery and made payment of ₹5000/- on 24.06.2022, 35,000/- on 18/08/20, 10,000/- on 08.08.2022 and total ₹50,000/- have been paid to the applicant/accused to buy goods of the bookstore and when inquiry was made about the goods from the applicant/accused, he told that he has placed order and you will get the goods soon but he has cheated the complainant as he has neither sent the goods of the bookstore nor has returning said money. He has also argued that there are serious allegations against the applicant/accused. Lastly, he

has prayed to dismiss the present bail application.

5. I have considered the rival contentions raised by learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State. I have also perused the record.

6. As per the case of prosecution, complainant used to purchase books and stationery from the applicant/accused and has made payment of ₹50,000/- but the applicant/accused has neither sent the goods of the bookstore nor has returned said money to the complainant. The nature of dispute in the present case is of civil nature. Further, at pre-conviction stage, there is presumption of innocence. The object of keeping a person in custody is to ensure his availability to face the trial and to receive the sentence that may be passed. The detention is not supposed to be punitive or preventive. Seriousness of the allegations or availability of material in support thereof is not the only consideration for declining bail. Investigation is to reach to some logical end, which may take sometime. Guilt of the applicants/accused is yet to be established.

7. In view of the above discussed facts and circumstances of the present case and the fact that the applicant/accused is ready to join investigation, without commenting on merit of the case, this Court is of the view that it is a fit case to direct the applicant/accused to join investigation. It is ordered accordingly. In the event of arrest of applicant/accused, he be released on bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the following conditions:

- (A) Applicant/accused shall make himself available for interrogation by police officer as and when required.

- (B) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of present case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (C) He shall not leave India without prior permission of the Trial Court.

8. Before parting with this order, it is made clear that these observations are only for limited purpose for adjudication of the bail application at this stage and as such, are not to be construed expression on merit of the bail application/case. To come up on 05.09.2025 for awaiting report of Investigating Officer/SHO concerned. Police record be returned and be produced again on the date fixed.

Pronounced.
Dated:29.08.2025.

Randhir Verma,
Additional Sessions Judge,
Sangrur.
(UID No.PB-165)