IN THE COURT OF Ms. ANSHUL BERRY,
ADDITIONAL SESSIONS JUDGE
FATEHGARH SAHIB.
(UID No. PB0095)

Bail application no.101 of 01.02.2024
CNR No:PBFG010003622024
Decided on: 06.02.2024

Minkal Mehta aged about 30 years son of Rajesh Mehta resident of House no.710, Guru Nanakpura Mohalla, Guru Nanak Nagar, Nilas Road, City Rajpura, District Patiala.

….. Applicant

Versus

State of Punjab

…… Respondent

FIR No.85 dated 04.12.2023
Under Sections 406, 420 of IPC and
Sec. 4 of Money Laundering Act, 2002 (since deleted)
Police Station Bassi Pathana
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Application for regular bail U/s 439 of Cr.P.C.

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Present:- Sh.N.S.Tiwana, Advocate for applicant.
Sh.Manish Kumar, Ld.Addl.PP for the State.

ORDER

1. This order of mine shall dispose of the first regular bail

application under Section 439 Cr.P.C. in above mentioned FIR, moved by counsel for the applicant/accused, in which it is stated that bail-applicant has been falsely implicated in the present case. The applicant has no concern or connection with the alleged offence.

2. Notice of the bail application was given to the State. Police record has been requisitioned.

3. As per prosecution version, complainant Monty Panesar got recorded his statement that he was working at Kailash Cafe, Sirhind City Center, near Khanda Chowk, Fatehgarh Sahib, since two years, where Abhishek Jagdev R/o Dera Bassi, P.S Mohali, now resident of Ambala Colony (Sardar Colony), G.T road, back side bus stand Sirhind, usually came to his cafe and he was acquainted with complainant. He disclosed about Blue Moon company and about the scheme of the company that on the investment of Rs.10,000/- the person will get 2.5 % every day and on the investment of Rs.20,000/- get 3% everyday and on the investment of Rs.30,000/- the person will get 3.5 % every day as a interest and the company was owned by Bhawani Shankar and Kartik Sharma was Manager in said company and Minkal Mehta (bail-applicant) was the having of charge of Punjab of that company. Then on 10.09.2023

complainant handed over Rs.2 lakh to Abhishek Jagdev for the investment in this company and he got deposited the amount in the account no.41681505206 of SBI Bank in the account of Blue Moon Company. The company did not paid the interest or main amount to the complainant. Then complainant submitted his online complaint no.22509230013645 dated 16.09.2023 against Minkal Mehta. Bhawani Shankar Brigbanshi and Kartik Sharma. On the inquiry of said complaint, the present case has been registered. During the inquiry, it came into surface that an amount of Rs.2,97,834/- of Akashdeep Singh, Rs.1,03,290 of Tinjit Singh, Rs.1,97,754/- of Rupali Jagdev, Rs.16896/- of Krishna Verma, Rs.14585/- of Amritpal Singh, Rs.14585/- of Simran Kaur, Rs.14585/- of Arshiya Chabbra, also involved in this case. In this case accused Minkal Mehta has been arrested on 20.12.2023.

4. Ld. counsel for the applicant has argued that previously FIR in question was registered against the applicant u/s 420, 406 IPC and section 4 of Prevention of Money Laundering Act, now the prosecution has dropped the investigation of the section 4 of PML Act. The applicant is an innocent person and has been falsely implicated in the present case and he is already in judicial custody, so, he be granted regular bail.

5. On the other hand, Addl.PP for the State argued that the bail-applicant committed serious offence, so, he does not deserve the leniency of bail and prayed for dismissal of the application.

6. During the course of arguments, ASI Rupinder Singh (Investigating Officer) suffered statement that in this case, the offence u/s 4 of Prevention of Money Laundering Act, 2002, has been deleted on 30.01.2024 and the intimation regarding the same has been sent to the court of Ld.Ilaqa Magistrate. Now only offence u/s 406, 420 of IPC has been remained in this case.

7. After giving thoughtful consideration to the contentions of the Ld.Counsel for applicant/accused and Ld. Addl. PP for the State, I find that present case has been registered against the bail-applicant on the statement of Monty Panser (complainant) on 04.12.2023, and the bail-applicant been arrested on 20.12.2023 and since then he is in custody. The offence u/s 4 of Prevention of Money Laundering Act, 2002, has already been deleted on 30.01.2024. The presentation of challan and conclusion of trial is going to take time. No useful purpose is going to be served by keeping the bail applicant in judicial lockup for indefinite period. Therefore, the regular bail application filed on behalf of the bail applicant

stands **allowed**. The bail-applicant is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.One Lakh with one surety in the like amount to the satisfaction of Ld.Ilaqa Magistrate/ Duty Magistrate. Police record be returned. Bail file be consigned to record room (Sessions) Fatehgarh Sahib.

Pronounced in open Court.
Dated: 06.02.2024

(Anshul Berry),
Addl.Sessions Judge,
Fatehgarh Sahib.
UID No:PB0095

Manjinder Singh
(Judgment Writer-II)