

IN THE COURT OF JAGMOHAN SINGH SANGHE
ADDITIONAL SESSIONS JUDGE, FAZILKA.
(UID NO.PB0447)

Case Details

Case Type	BA
Regn. No.	BA/1924/2023 Date of Regn.12.09.2023.
CNR No.	PBFZC0-0051032023
Date of order	21.09.2023.

Avtar Singh aged about 58 years son of Sh.l Narata Singh (wrongly mentioned in remand paper as Avtar Singh son of Dhiman son of Narata Singh) resident of House No.155, Modern Valley, Chandigarh Road, Sarhind District Fatehgarh Sahib.

...Applicant.

Versus

State of Punjab

...Respondent.

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FIR No.82 dated 06.06.2017  
U/s. 420, 120-B IPC and Sections 4,5 Prize Chits and Money  
Circulation Schemes (Banning) Act.  
Police Station City Jalalabad (w).

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Bail application Under Section 439 Cr.PC.

Present: Shri Pardeep Chugh, Advocate counsel for applicant.
Shri Gurbaj Singh, Additional PP for the State.

ORDER:

1. By this order, this Court intends to dispose off the present bail application under Section 439 Cr.PC having been filed by applicant Avtar Singh.
2. Notice of the bail application was served upon the State through learned Additional PP alongwith copy of bail application, who received the same, appeared and contested the bail application on merits.

Police record was requisitioned which has been received and perused.

3. I have heard the respective contentions of both the learned Advocates and have perused the record with their able assistance.

4. Admittedly, this FIR was registered on the statement of complainant Amarjit Singh son of Gurbaksh Singh against the applicant and four other non-applicants namely Jagjit Singh, Gurmeet Kaur, Sukhwinder Singh and Manjeet Singh being associated with Crown company with the allegation that these accused cheated upon the complainant and other investors on the pretext of returning double of the invested amount in three years. Believing such representation, the complainant invested an amount of Rs.1 crore by himself as well as his near and dears ones but, the company failed to keep its promise by not returning the said amount back as promised. In such allegations, the applicant is not shown to be an office bearer of Crown Company or to have derived any direct benefit of such transaction. The challan in this case has already been presented and the applicant is languishing in judicial custody since 10.02.2023. Perusal of the trial Court file further reveals that trial is at its initial stage and its conclusion is likely to take considerable time. Keeping in view the totality of circumstances and the fact that the custody of the applicant is not likely to serve any useful purpose, the application under Section 439 Cr.PC filed by the applicant stands allowed. He is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned Illaqa Magistrate/Duty Magistrate subject to the following conditions :-

- A. *That the applicant shall appear before the Trial Court on each and every date of hearing.*
- B. *That the applicant shall not directly or indirectly induce or coerce any witness of prosecution so as to dissuade him from deposing as witness in the Court.*
- C. *That the applicant shall not leave India without prior permission of the Court.*

Police record be returned and the file of bail application be consigned to the record room.

**Pronounced in open Court.
Dated: 21.09.2023.**

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**(Jagmohan Singh Sanghe),
Additional Sessions Judge,
Fazilka : UID no.PB0447**