

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 787 of 2015

Smt. Sagarika Panda W/o Shri N.K. Panda Aged About 39 Years R/o 108, Sanjay Parisar, R-1, Vinoba Nagar, P.S. - Tarbahar, District - Bilaspur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station Tarbahar, District - Bilaspur (Chhattisgarh).

---- Respondent

Shri Arvind Singh, counsel for the applicant/s.
Shri R.K.Gupta, Dy.A.G. for the State.

Order On Board

25/08/2015

Heard.

The applicant is apprehending her arrest in connection with Crime No.254/14 registered at police station – Tarbahar, Distt. - Bilaspur, CG for alleged commission of offence under Section 420, 34 of IPC.

2. Prosecution case is that the Directors of *Awesome Home and Land Private Ltd.* cheated large number of investors by collecting more than Rs.55 lakhs from them by cash and cheques both, on fraudulent representation of private land under housing scheme but later on, the plots were not sold nor the amount was returned and thus, committed offence.

3. Learned counsel for the applicant submits that though the applicant was also one of the Directors in the company, she has not played any role in cheating. It is stated that she was the Director of the company only for the name sake. He further submits that when other Directors suddenly wound up the business and eloped, the applicant gave a report in the police station and thereafter, investigation was made and offence registered against all the Directors including the applicant.

4. On the other hand, learned State counsel submits that the applicant was one

of the Directors of the company who is said to have floated the scheme, collected more than Rs.55 lakhs from the investors and thereafter, all the Directors have absconded which includes the applicant also.

5. At this stage of investigation, the applicant seems to be involved because she happened to be one of the Directors of the company. It is found that more than Rs.55 lakhs were collected from large number of investors. Therefore, I am not inclined to grant anticipatory bail to the applicant. The application is therefore rejected.

However, if the applicant surrenders and moves application for grant of regular bail before the Court below, the concerned Court shall decide her application within three days keeping in view whether custodial interrogation of the applicant is necessary or not for a period longer than three days.

Sd/-

Manindra Mohan Shrivastava
Judge