

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-2570 of 2015
Date of Decision: 28.05.2015

Hitesh ManiPetitioner
Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. M.S. Dhami, Advocate and
Mr. Rajiv Kataria, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

SNEH PRASHAR, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case First Information Report No. 152 dated 08.10.2014 under Sections 420, 406 and 120-B of the Indian Penal Code registered at Police Station Mukerian, District Hoshiarpur.

2. The accusation against the petitioner is that he had taken money to the tune of Rs. 90 lacs from complainant Dinesh Kumar and number of other persons named in the complaint on the pretext of sending them abroad. The passport of the said persons were also taken but thereafter the petitioner went missing and was not traceable on which the complainant had no option than to lodge the First information Report.

3. Learned counsel for the parties have been heard.
4. It was argued on behalf of the petitioner that in the instant case investigations have since been completed and challan has already been presented in the Court. Whether the petitioner had committed any kind of cheating will be a matter to be decided on the basis of the evidence recorded during the trial. Submitting that the petitioner is in custody since 14.10.2014 and the trial is still likely to take more time, learned counsel prayed that the petitioner be enlarged on regular bail. To support his arguments he relied upon *Sanjay Chandra Vs. CBI 2011 (4) RCR (Criminal) 898*.
5. The petition has been strongly resisted by learned State counsel. He submitted that more than 110 people have been cheated by the petitioner by extracting huge money from them on false promise and by misrepresentation. There is every likelihood that in case he is enlarged on bail, he will pressurize the witnesses and will tamper with the evidence of the prosecution.
6. The trial is stated to be in progress. Only two witnesses have been examined so far and number of public witnesses have yet to appear. As such, in view of peculiar facts and circumstances and without going into the merits of the case, I find no ground for release of the petitioner on bail and his petition is hereby dismissed.

May 28, 2015
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(SNEH PRASHAR)
JUDGE