IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-28095 of 2015
Date of Decision: August 24, 2015

Arpit Mittal

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ajay Jain, Advocate
for the petitioner.

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INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.290 dated 10.08.2015 under Sections 406, 420 IPC and Sections 3 and 4 of the Chit Fund Act, H.P.I.D.F.E Act, 2014, registered at Police Station Sector-5, Panchkula, ACP Crime Sector-1, Panchkula.

The brief facts of the case are that FIR has been lodged by the complainants on the basis of application sent to Director General of Police, Haryana. It is stated in the application by the complainants that they are residents of Panchkula and are acquainted with respondent party Ashok Mittal, who told them they he is opening a showroom in Elante Mall by the name of Al Anmol Jewels and having wholesale business of diamonds. He further told that in case the complainants agree to pay monthly installments of the said amount, which he will invest in his jewellery business, he will keep paying interest @ 1.5% and on demand, money will be returned back in one go. He further assured that he will also give share in the profit and all of them will be benefitted. As per the allegations, with the passage of time, all members are having dues of about ₹8 crores against him. When complainants demanded their money, he had got a false case registered against some Walia by colluding with police and told them that Walia had flown by taking his entire money. It is further stated that Crime Branch has investigated the matter and all the allegations were found to be false and accused has grabbed their money. It is also stated that Ashok Mittal used to hold meetings in the hotel. His wife Chetna Mittal used to demand the installments through phones and Ashok Mittal's wife, or son Arpit (present petitioner) or servant or driver used to take the money.

I have heard learned counsel for the petitioner and have gone through the record.

Learned counsel for the petitioner has argued that there are so many documents to show that father of the petitioner invested the money with one Vikas Walia, who has committed fraud and fled away with the money. At this stage, on this fact, anticipatory bail cannot be granted. As per version of the FIR, crime branch after investigating the matter, has found the version of Ashok Mittal as false.

The petitioner is named in the FIR and specific role has been attributed to him that sometimes he used to collect the installments from the complainants. The amount of ₹8 crores is yet to be recovered from the accused persons.

Keeping in view the facts and circumstances of the case, I find that the petitioner is required for custodial interrogation. Otherwise also, no ground is made out to grant anticipatory bail to the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

August 24, 2015 **(INDERJIT SINGH)**
Vgulati **JUDGE**