

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. Crl. Misc. No. M-31156 of 2014

Mamta BhardwajPetitioner

Versus

State of PunjabRespondent

2. Crl. Misc. No. M-31757 of 2014

Jitendra ChandraPetitioner

Versus

State of PunjabRespondent

3. Crl. Misc. No. M-40642 of 2014

Dharmendra Chandra BhardwajPetitioner

Versus

State of PunjabRespondent

DATE OF DECISION: 23.01.2015

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment?**
2. **To be referred to reporters or not?**
3. **Whether the judgment should be reported in the Digest?**

Present:- Mr. P.S. Khurana, Advocate
for the petitioners.

Mr. Rajesh Mehta, Addl. A.G., Punjab.

Mr. Talwinder Singh, Advocate
for the complainant.

DAYA CHAUDHARY, J.

By this order, three petition bearing Nos. M-31156, 31757
and 40642 of 2014 shall stands disposed of as prayer made in all the

cases is for grant of anticipatory bail to the petitioners in case FIR No. 120 dated 1.8.2014 registered under Sections 408,420,467,468,471,120-B IPC at Police Station Sadar, Ludhiana.

Learned counsel for the petitioners contends that petitioner-Mamta Bhardwaj has been implicated in the case being wife of Dharmendra Chandra Bhardwaj, whereas, she has played no role in any manner. She is house wife and the amount has been stated to be deposited in the account, which even does not belong to her. Learned counsel further contends that all the documents are either in the custody of police or in the Company and nothing is to be recovered from the petitioners. Learned counsel also contends that petitioner-Jitendra Chandra has been implicated because of brother of main accused, namely, Dharmendra Chandra Bhardwaj, whereas, he even has played no role. Learned counsel also contends that the petitioners are ready to join investigation and nothing is to be recovered from them.

Learned counsel for the respondent-State submits that wrong averment has been made by learned counsel for the petitioners that Mamta Bhardwaj has been implicated in this case being wife of Dharmendra Chandra Bhardwaj, whereas, the amount was deposited in the joint account of Mamta Bhardwaj and her husband Dharmendra Chandra Bhardwaj, who is an employee of M/s DHL Supply Chain India Private Limited and working as Branch Manager. Mamta Bhardwaj is proprietor of the said firm and it cannot be said that she is house wife. Specific allegations are there against all the accused and even specific roles have been attributed to them.

Learned State counsel also submits that offence has been committed by the petitioners in connivance with each other.

Heard the arguments advanced by learned counsel for the parties and have gone through the allegations in the FIR as well as other documents available on the file.

The FIR was registered on the basis of complaint made by Ankur Mudgil. As per allegations in the FIR, accused-petitioner-Jitendra Chandra along with his brother, namely, Dharmendra Chandra Bhardwaj and sister-in-law Mamta Bhardwaj hatched a criminal conspiracy to cheat complainant-company for illegal gain and has caused great loss to the company. It is also an allegation that on the basis of forged documents he got himself registered as vendor with the complainant-company. Allegations against petitioner-Jitendra Chandra are that he sent certain cheques for payment and the amount was deposited in his account. Similarly allegations against Mamta Bhardwaj are that cheques were sent for payment and other documents were sent by her, which were not genuine. The cheques were deposited in the account shown to have been belonging to Mamta Bhardwaj. The account was also opened by forging some documents. After registration of company, the payment was deposited in the account by sending goods to various firms. In the inquiry it was also found that false transport companies were running on the basis of forged documents and loss amounting to ₹ 40 lacs was stated to have been caused to the complainant-company. All the petitioners have, therefore, played active role and it cannot be said that they were not involved in any manner. Although the

allegations levelled are matter of evidence and nothing can be said on merits at this stage but keeping in view the role of the petitioners and allegations in the FIR, no ground is made to grant anticipatory bail to the petitioners.

Accordingly, the petitions being devoid of any merit are hereby dismissed.

January 23, 2015
pooja

(DAYA CHAUDHARY)
JUDGE