

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M- 42504 of 2015

Date of Decision: December 18, 2015

Rajesh Wadhwa and another

....Petitioners

Versus

State of Haryana.

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Suryakant Gautam, Advocate
for the petitioners.

Mr.Gaurav Dhir, DAG, Haryana

Rajan Gupta, J (Oral)

This is a petition under Section 438 Cr.P.C seeking anticipatory bail in a case vide FIR No.170 dated 20.11.2015 registered under Sections 420/120-B/34 IPC at Police Station, Sadar Kaithal.

Learned counsel for the petitioners vehemently contends that there is no evidence on record to connect the petitioners with the crime. A friendly loan was advanced to the accused. Despite the fact that dispute being civil in nature, investigating agency had registered the instant FIR.

Learned State counsel has opposed the plea for bail. According to him, petitioners collected Rs.2,31,51,810/- from various persons on the promise of giving them handsome return. 47 persons have made statements against the petitioners. He, on instructions from ASI-Kitab Singh, submits that petitioners are required for the purpose of custodial interrogation.

I have heard learned counsel for the parties.

It is evident that during investigation, investigating agency

has found that petitioners embezzled a sum of Rs.2,31,51,810/-. They had collected this money from the public ensuring them profits on this amount. However, petitioners closed their business and moved from the premises. As a result, FIR was lodged by one of the aggrieved persons. Later several persons similarly placed made statements before the investigating agency.

Keeping in view the facts and circumstances of the case, I am of the considered view that a deeper probe is required into the matter. Petitioners are not entitled to concession of anticipatory bail.

Dismissed.

(Rajan Gupta)
Judge

December 18, 2015
BB