

**Crl. Misc. No.M-7298 of 2015 with
Crl. Misc. No.M-8126 of 2015**

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

**Crl. Misc. No.M-7298 of 2015
Date of decision : 26.05.2015**

Mukesh Kumar Pandey

.....Petitioner

Versus

State of Haryana

...Respondent

with

**Crl. Misc. No.M-8126 of 2015
Date of decision : 26.05.2015**

Shashikala

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

**Present: Mr. G.S. Duhan, Advocate
for the petitioner(s).**

Mr. S.S. Pannu, DAG, Haryana.

**Mr.Aayush Gupta, Advocate
for the complainant.**

ANITA CHAUDHRY, J(ORAL)

**These are two petitions seeking anticipatory bail in bail in
FIR No. 1 dated 13.01.2015, registered under Sections 406 and 420
IPC at Police Station Sector 20, Panchkula, District Panchkula.**

The allegations first. A complaint was lodged by Gyan Chand Gupta alleging that Rs.76 lacs in the name of Chit Fund had been collected by Shashikala @ Guddi and her husband Mukesh Pandey. It was alleged that the couple had fled to Uttar Pradesh after committing fraud. The complainant also enclosed the list containing detail of amount collected. Twelve people had complained of cheating.

I have heard both the sides.

Learned counsel for the petitioners urges that he has with him affidavits given by Mahavir and Subhash who have stated that they had received their money back and Investigating Officer be asked as to what is the material with them to show that the amount had been taken. He urges that the wife of Mukesh is not running the Chit Fund but complaint has also been lodged against her. He further contends that Rajesh, Parveen, Anil and Rakesh have given affidavits that they have no complaint against the petitioners. He urges that the police had raided the house and the counsel representing the petitioner was attacked and she has received serious injuries and the State should first respond to this.

The State counsel as well as the complainant side have opposed the application and it has been urged that the wife was also running a Chit Fund along with the husband and she has given an affidavit and they have the photocopy of the affidavit with them and the authenticity of the affidavits in possession of the petitioners is yet to be verified. The State counsel states that after registration of the

FIR, 30 more people have filed complaints and custodial interrogation is necessary and recovery is to be effected.

The matter was taken up in the early part of the day when the urgent cases were taken up for hearing, it was then disclosed that another matter was listed at serial No.203, therefore, both the matters would be taken up together. The counsel appearing for the petitioners had then informed that the counsel representing the petitioners had been attacked. He was asked to get the relevant information through fax and file an affidavit or application to enable the Court to take notice. No document has been filed so far, nor application has been submitted. Therefore, no further notice of it can be taken.

Both the petitioners are accused of cheating. Several persons have come out with complaints after the registration of FIR. A sum of Rs.76 lacs is said to have been obtained fraudulently by Shashikala and her husband Mukesh. Recovery is to be effected. Custodial interrogation is necessary. No case for anticipatory bail is made out.

Both the petitions are dismissed.

26.05.2015
sunil

**(ANITA CHAUDHRY)
JUDGE**