

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5685 of 2016**

- Lalit Pal S/o Tulsiram Pal Aged About 56 Years R/o Yash Vihar Colony, Boriya Khurd, House No. Y.H./09, Tikrapara, Raipur Chhattisgarh --- **Applicant**

**Versus**

- State of Chhattisgarh through the Station House Officer, Police Station Mohan Nagar, District Durg Chhattisgarh --- **Respondent**

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| For the applicant  | : | Mr. B. D. Guru, Advocate            |
| For the Respondent | : | Mr. Anil S. Pandey, Govt. Advocate. |

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**MCRC No. 6817 of 2016**

- Puranik Dewangan S/o Beer Singh Dewangan, Aged About 38 Years R/o Ward No. 1, Near Tikuriya Talab, Rajim, Police Station Rajim, District Gariyaband, Locally Residing At Jamgaon, Police Station Fingeshwar, Gariyaband, Chhattisgarh. --- **Applicant**

**Versus**

- State of Chhattisgarh through the Police Station Mohan Nagar, Durg, District Durg, Chhattisgarh. --- **Respondent**

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| For the applicant  | : | Mr. N. Naha Roy, Advocate           |
| For the Respondent | : | Mr. Anil S. Pandey, Govt. Advocate. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**28.11.2016**

1. These are two bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 164/2016 registered at P.S. Mohan Nagar, Durg, Distt. Durg (C.G) for the offence punishable under Sections 420, 406, 409, 120-B, 34 of IPC and Section 10 of the Prize Chits & Money Circulation Schemes (Banning) Act 1978. These bail

applications are heard alongwith M.Cr.C.No.6692 of 2016 filed by Mohan Kumar Munna.

2. Since both these applications are arising out of the same crime number, they are being decided by this common order.
3. As per the prosecution case, the applicant is one of the directors of the Company namely Susk India Company Limited and Shining Star Infrastate Ltd. The Company had collected the amounts from different persons through the agents at Raipur, Durg and other places. It is alleged that applicants Lalit Pal and Puranik Dewangan were appointed as Directors of Shining Star Infrastate Ltd., which too was involved in collection of amounts for money circulation with an assurance to return the same with high rate of interest. However, the amounts were not returned, thereby the offence is committed. It is further alleged that the said collection and circulation of money was made without permission of the Reserve Bank of India or SEBI.
4. Learned counsel for the applicants would submit that these applicant were not in the helm of affairs as Directors and the Directors of of Susk India Limited were different persons and these applicants have not taken any principal decision. It is further submitted that the documents attached with these bail petitions would show that the applicants have also been defrauded as they have invested amounts in the Susk India Ltd., therefore, they may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail.
6. Perused the documents as also the reply filed by the State and the agreement dated 26th July 2012 placed in M.Cr.C.No.6692 of 2016. The documents would reveal that the applicant Lalit Pal was appointed as Patron of Shining Star Infra-State Limited and the meeting was convened between the principal officers of Shining India Infra-State Ltd and other persons. Similarly applicant Puranik Dewangan was also appointed as one of the directors of the Shining Star Infra-State Ltd which also bears the signature of the applicant.

Shining Star Infra-State Ltd., appears to be the sister concern of Susk India Limited. The documents would further reveal that Kailash Singh Lodhi is the Chairman of the Susk India Ltd., and his other family members namely Narendra Singh Lodhi, Anil Lodhi, Fatte Singh Lodhi were also given place in the Board of Directors of the Company. Similarly applicant Lalit Pal was also holding the post of Development Managing Director of Chhattisgarh wing. In addition, G.M. Sushil Sakar, Kanhailal Ojha and the applicants Puranik Dewangan and Mohan Kumar Munna were also at the helm of affairs of the Company of Chhattisgarh. In the statements of victims, joint allegations have been attributed to Susk India Limited and Shining Star Infra-State Ltd.

7. Since the documents shows that applicants were holding key posts, therefore, their role cannot be carved out at this stage while hearing these bail applications especially when the joint allegations have been attributed.
8. Taking into the totality of the facts and circumstances and the huge amounts were collected from the down trodden people alluring them with high returns and the way the organized offence has been committed, I am not inclined to allow this bail application. Accordingly, it is rejected.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**