

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

Criminal Misc.No.M-16731 of 2016 (O&M)
Date of decision: 15th July, 2016

Smt. Shama alias Rozy and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Prabhjeet Singh Sullar, Advocate,
for the petitioners.

Mr. Vikramjit Singh, Addl. A.G., Haryana,
for the respondent(s)-State.

Mr. Sandeep Khunger, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners Shama alias Rozy and Sidharth have preferred the instant petition under Section 438 Cr.P.C., for grant of anticipatory bail in case FIR No.72 dated 15.03.2016, registered at Police Station Pinjore, under Sections 03 of the Haryana Protection of Interest of Depositors Act, 2014.

Notice of motion was issued. Learned State counsel as well as learned counsel for complainant appeared and contested the instant petition.

I have heard learned counsel for the petitioner, learned State counsel as well as learned counsel for complainant and have gone through the record.

From the record, this Court finds that the FIR in the present case has been got registered on the basis of complaint filed by complainant Kailash Bundela regarding cheating and giving threats to life. As per FIR, Mahesh Singh Tomar, friend of complainant, introduced complainant to accused, who stated that they have large business of chemical. Shama

Patyal told that his father is Judge of Supreme Court at Delhi. Accused Sidharth is a nephew of Shama alias Rozy and having hotel business in America. Aforesaid accused told the complainant that they are planning a kitty in which Rs.22 lacs is to be given and after 20 months Rs.30 lacs will be returned. They also tried to make the complainant understand and asked him to join the kitty. It is also stated in the FIR that the complainant made the payment through cash and cheque to accused persons. When in November, 2015, the complainant asked for return of his money back then the accused refused and threatened that if he again asked for the money and came to them they will implicate him. Even accused Shama Patyal alias Rozy gave threat to commit suicide and implicate the complainant. It is also stated in the FIR that the complainant had come to know that the accused have cheated other persons also. The investigation was brought into motion by incharge Economic Wing. The first anticipatory bail application, filed by the accused before the learned Addl. Sessions Judge, Panchkula, was dismissed vide order dated 21.04.2016 and the second anticipatory bail application was also dismissed by the learned Addl. Sessions Judge, Panchkula, vide order dated 07.05.2016. The learned Addl. Sessions, Panchkula in the order dated 07.05.2016, held that accused Shama, who appears to be king pin of whole of the game and application for anticipatory bail filed by them in another case bearing FIR No.146 dated 23.04.2016 instituted against them at the instance of Avtar Kaur is also pending. It is also mentioned in the said order that in another case FIR No.69 dated 13.03.2016 registered at Police Station Pinjore, the benefit of anticipatory bail was also declined by that Court vide order dated 04.04.2016.

Keeping in view the nature and gravity of the offence and the

fact that the petitioners are required for custodial interrogation, this Court does not find it a fit case to grant the benefit of anticipatory bail to the petitioners.

Accordingly, the instant petition stands dismissed.

15th July, 2016
mamta

(INDERJIT SINGH)
JUDGE