

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

CRM-M-39360 of 2015

Date of Decision: 26 July, 2016

Kaushalya Devi and another

...Petitioners

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Parveen Chauhan, Advocate
for the petitioners.

Mr. Ashima Mor. APP U.T. Chandigarh.

Mr. Suneet Kumar, Advocate
for the complainant.

FATEH DEEP SINGH, J.

The allegations against the petitioner-mother Kaushalya Devi and her son petitioner No.2 Mohini are that they had formed a committee, whereby, the residents of the adjoining area were fraudulently enticed to contribute towards this kitty and as a consequence of which had duped 15 victims for sum of ₹22,50,000/-.

Learned counsel for the petitioners contended that offence under Prize Chits and Money Circulation Schemes (Banning) Act, 1978 is not attracted nor any offences under Sections 406, 420 IPC are made out and has sought to shift the burden on the complainant Manjit Kaur, who was the mastermind of running this committee.

The bail is opposed by the learned State counsel on the grounds that the petitioners have failed to join the investigations and that the registers/chits for running the committee are yet to be recovered and so the money duped from the poor victims.

Keeping in view that the petitioners inspite of interim bail granted to them has failed to join the investigations and in view of the seriousness of the allegations of having duped more than 15 persons of large sum of money are matters which have bearing on the case of the petitioners for releasing them on bail. The investigations are at crucial stage and that the recovery of certain incriminating articles are yet to be made impels this Court to dismiss the present application.

Ordered accordingly.

(FATEH DEEP SINGH)
JUDGE

July 26, 2016
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