IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl. Misc. No.M-16042 of 2017 (O&M)
Date of Decision: July 27, 2017

Gangadhar

......PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Lekh Raj Sharma, Advocate
for the petitioner (s).

Mr. Ashish Yadav, Addl.A.G. Haryana.

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SURINDER GUPTA, J.(Oral)

CRM-22970-2017

This is application for placing on record bank entries in compliance of order dated 30.05.2017.

Application is allowed and the copies of bank entries are taken on record subject to all just exceptions.

CRM-M-16042-2017

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.170 dated 28.03.2017 registered for the offences punishable under Sections 406, 420 read with Section 120-B of Indian Penal Code and 13-A of Punjab Gambling Act, at Police Station City Palwal.

Petitioner is admittedly Director of SRD Group, who is running a Prize Distribution Club, without having licence.

Learned State counsel submits that during investigation, it has come on record in the statement of 11 agents that petitioner had collected money from a number of persons by giving them the allurement that they will get prizes of Cars, tractors, auto, scooter, bikes, electronic items etc. and have committed embezzlement of ₹40 crores. It is a big scam and call for thorough investigation for which custodial interrogation of petitioner, who is mainly responsible for this scam, is required and he is not entitled to pre-arrest bail.

Learned counsel for the petitioner submits that though the petitioner is nominated Director of SRD Prize Distribution Club but he is a semi literate person. The real culprits have not been arrested by the police. The case is based on documentary evidence and petitioner is ready to join the investigation. Most of the persons, who became members of the company of the petitioner, have been given prizes and only few hundreds are in queue to get the same.

FIR in this case was registered on receipt of information that petitioner and others are running an illegitimate firm, which is collecting ₹1,000/- per month from the public under the name and style of SRD Prize Distribution Club by playing fraud with the people and have collected huge amount but did not distribute the prizes to them or returned their money.

The police has received applications of numerous persons, who have deposited their money with SRD Prize Distribution Club. The agents who got enrolled several persons have also been associated in the inquiry. It is submitted that so far as the police has traced the fraud to the tune of ₹40 crores and this figure is going up.

In view of above facts, I am of the opinion that this is a big scam played by some persons, which call for thorough investigation. The petitioner is trying to put blame on other persons, whom he could identify and the custodial interrogation of the petitioner is required by the police in this case, which do not call for exercise of discretionary power of this Court for extending the benefit of pre-arrest bail to the petitioner.

Consequently, this petition has no merits.

Dismissed.

(SURINDER GUPTA)
JUDGE

July 27, 2017
Sachin M.

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***