

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

CRM No.M-29105 of 2015 (O&M)

Date of decision: 16.02.2017

Brish Bhan Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepinder Brar, Advocate for the petitioners.

Mr. K.S. Nalwa, Addl. A.G., Punjab

Mr. S.P.S. Sidhu, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

By way of petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.70, dated 28.07.2015, registered under Sections 420, 406 and 120-B of the Indian Penal Code (for the 'the IPC'), at Police Station Lehra, District Sangrur.

The learned counsel for the petitioners states that the petitioners have been falsely implicated in the present case. Neither any amount was handed over to the petitioners nor any amount was received by them from the complainant.

On the other hand, the learned State counsel as well as the learned counsel for the complainant submit that in connivance with the other co-accused the petitioners had allured the complainant and other persons to invest

in the company on the false assurance that their investment shall double within short period. Since August 2014, neither the amount of interest has been paid nor the amount invested has been returned. As per the reply of the respondent-State, during the investigation, the investigating officer had recovered a register stated to be cash book maintained by the petitioners in their office and as per the details given therein, the petitioners have collected the huge amount from the investors. Lastly, the learned counsel for the complainant refers to Annexures R-1 and R-2 and states that the petitioners have duped many innocent persons and cheated them.

I have heard the learned counsel for the parties and perused the record with their able assistance.

The petitioners allegedly along with other co-accused have committed fraud upon the complainant and many similarly placed persons by alluring them to invest their savings with the company running in the name and style of '4S Forever Private Limited' on the assurance of good return, which sums into crores of rupees, therefore, this Court feels that custodial interrogation of the petitioners is required to unearth the truth.

Accordingly, the present petition is dismissed at this stage.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

16.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No