

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

CRM-M-33361-2016 (O&M)

Date of decision : 06.03.2017

Manish Kapoor

...Petitioner (s)

Versus

State of Punjab

...Respondent (s)

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present : Mr. Raj Karan Singh Verka, Advocate  
for the petitioner (s).

Mr. A.S. Kler, DAG, Punjab

Mr. Harshvardhan Shehrawat, Advocate for  
Mr. C.S. Bakshi, Advocate  
for the complainant.

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**JITENDRA CHAUHAN, J. (Oral)**

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.18, dated 18.02.2016 registered under Sections 406, 379, 380, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, at Police Station Ajnala, Amritsar.

The learned counsel for the petitioner states that in pursuance of order dated 27.09.2016, the petitioner has repeatedly joined the investigation. He has not committed any fraud upon the complainant and his name does not find any mention in the FIR.

Status report filed on behalf of respondent-State has been filed in the Court, same is taken on record.

The learned State counsel, on instructions, submits that during the pendency of the present petition, four similar complaints have been received. The bail of co-accused, Sachin Katyal has been dismissed by this Court vide order dated 21.11.2016, which was challenged and was subsequently dismissed by Hon'ble the Supreme Court. Further, it is submitted that though the petitioner has joined the investigation, however, he is not cooperating with the investigation agency. All the firms on whose behalf the petitioner had allegedly been conducting himself, are fake firms and are not in existence.

The learned counsel appearing for the complainant states that the petitioner in connivance with co-accused, Sachin Katyal and others had duped the complainant.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

Considering the allegations that the petitioner along with other co-accused has committed fraud upon the complainant; during the investigation, four similar complaints have been received; he is not cooperating with the investigation agency; all the firms on whose behalf, he had been conducting himself, are fake firms and are not in existence, this Court feels that custodial interrogation of the petitioner is required to unearth the truth.

Accordingly, the present petition is dismissed.

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

**06.03.2017**  
*ashok*

**(JITENDRA CHAUHAN)**  
**JUDGE**

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|----------------------------|----------|
| Whether speaking/reasoned: | Yes / No |
| Whether reportable:        | Yes / No |