

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

Sr. No. 207

CRM-M-42151-2016

Decided on : 12.01.2017

Vipin Chopra and another

..... Petitioner(s)

VERSUS

State of Haryana

..... Respondent(s)

CORAM: **HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Manoj Bajaj, Advocate, for the petitioners.

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

Mr. Keshav Pratap Singh, Advocate,
for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr. P. C., the petitioners seek anticipatory bail in FIR No. 308, dated 04.06.2016, under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Central Faridabad.

The present petition has been filed by Vipin Chopra and Sonia Chopra. Sonia Chopra is the wife of Vipin Chopra.

The allegations in the FIR are that the complainant is a Director in M/s Joy E-Medical Pacific Pvt. Ltd. The petitioners by projecting themselves as Directors of M/s EPI Joy Marketing Pvt. Ltd., induced the complainant and his friends namely Rahul Saluja and Pankaj Sehgal to invest in their company. On such inducement, the complainant as Director of M/s Joy E-Medical Pacific Pvt. Ltd. and his friend Rahul Saluja invested an amount of Rs. 63 lacs and Rs.7 lacs respectively in M/s EPI Joy

Marketing Pvt. Ltd. It is further alleged that the aforesaid amount of Rs. 70 lacs in total was then siphoned of by the petitioners and co-accused Arvind Rajput, who is a Director alongwith the petitioners in a Singapore based company namely M/s Joy Pacific PTE Ltd. The siphoning of money was through cheques signed by petitioner No. 2-Sonia Chopra alongwith one Sonia Kumar. Such signatures were appended by petitioner No. 2 after she had resigned as Director of M/s EPI Joy Marketing Pvt. Ltd. The money was ultimately sent to co-accused Arvind Rajput. When the complainant inquired about this money, he drew blanks from the petitioners and when he met the aforesaid co-accused Arvind Rajput, he promised to return the money but the same was not done.

Learned counsel for the parties have been heard.

The allegations against the petitioners are serious. A huge amount of Rs. 70 lacs is alleged to have been siphoned of by the petitioners in connivance with the co-accused-Arvind Rajput. Petitioner No.1 is alleged to have projected himself to be the Director of M/s EPI Joy Marketing Pvt. Ltd. at the time of inducement of the complainant to invest but later on it has been found that he was never a Director in that Company. The cheques which formed the basis of transfer of money to co-accused-Arvind Rajput were signed by petitioner No. 2, the wife of petitioner No. 1 and such signatures were appended by her alongwith and in connivance with one Sonia Kumar after she had resigned as a Director of M/s EPI Joy Marketing Pvt. Ltd. Till date, neither the money is traceable nor any account of the same is forthcoming. Co-accused Arvind Rajput is also absconding. He is a co-Director with the petitioners in a Singapore based company M/s Joy Pacific PTE Ltd.

Learned counsel for the petitioners submits that the complainant was a Director in M/s EPI Joy E-Marketing Pvt. Ltd. and, therefore, as a Director cannot be allowed even complain of siphoning of funds out of the company. He further submits that being the Director the complainant was well aware of all transactions.

Countering the above submission, learned State counsel, on instructions from Inspector-Naresh Kumar, who is the Investigating Officer, submits that the investigations made so far have revealed that the complainant in a fraudulent manner was inducted as a Director in M/s EPI Joy Marketing Pvt. Ltd. in which investments were made. This was done by the petitioners alongwith their co-accused so that tomorrow when the funds are siphoned of the complainant could not complain of such siphoning of funds.

According to me, the above-referred twisted tale of facts needs deeper investigation for which I feel custodial interrogation of the petitioners would be necessary.

Resultantly, the petitioners' prayer for the grant of the concession of the anticipatory bail is rejected.

Dismissed.

12.01.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No