

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 17857 of 2018 (O&M)

Date of decision : 25.5.2018

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Shah Hasan Ahmed

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Mansur Ali, Advocate for
Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Sachin Luthra, Advocate for the complainant.

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H. S. Madaan, J.

This petition for regular bail has been filed by petitioner Shah Hasan Ahmed, an accused in FIR No. 24, dated 23.1.2018, for offences under Sections 406, 420, 120-B IPC, registered at Police Station City Gurugram, District Gurugram.

Briefly stated, facts of the case as per the prosecution story are that accused has been an agent of M/s Astro Suppliers, belonging to Akhtar and he have an allurements to the complainant that he would arrange dealership of Bombay Dying Co. for him and for doing that he took three blank cheques and documents from the complainant giving assurance that till dealership was not officially sanctioned, the

accused would arrange supply of goods through other dealers. Believing the representation by the petitioner-accused, complainant deposited a sum of Rs.50 lacs by way of RTGS in the account of M/s Astro Suppliers. However neither the goods were supplied nor money was returned and when the complainant confronted the accused, he started threatening him, as such the complainant reported the matter to the police and formal FIR was registered.

The matter was investigated. The accused was arrested in this case on 26.3.2018. He was interrogated during the course of which he suffered a disclosure statement confessing his involvement in the crime of cheating the complainant, who had sent RTGS for Rs. 1 crore in account of Nair Rajvi of Nair Exports. This accused, further disclosed that goods worth Rs.1.17 crores were supplied to the complainant but thereafter accused induced the complainant to supply those goods to persons named by the accused on payment of commission. He disclosed about various other ways in which he had cheated the complainant. The complainant had moved an application for regular bail before the Court of Sessions, which was assigned to Additional Sessions Judge, Gurugram, who vide order dated 21.4.2018 dismissed the same.

Feeling aggrieved, the accused has approached this Court by way of filing the present petition, which is being resisted by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel, besides going through the record.

There are serious allegations of cheating and fraud against the petitioner, involving crores of rupees. The investigation is still going on. Further recovery of the cheated amount is yet to be effected. Grant of bail to the petitioner at this stage is definitely going to hamper the investigation.

Thus no ground to allow the petition is made out. The same stands dismissed.

25.5.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No