

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

CRM-M-26747-2018 (O&M)

Date of Decision:-2.8.2018

Naresh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Singla, Advocate for the petitioner.

Mr. Manish Bansal, Deputy Advocate General, Haryana.

Mr. Sudhir Hooda, Advocate for respondent No.2-complainant.

GURVINDER SINGH GILL, J.(Oral)

The petitioner Naresh Kumar seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.386 dated 4.4.2018 under Sections 420 and 406 of Indian Penal Code, 1860 at Police Station City Jagadhri.

The FIR in question was lodged at the instance of Rama daughter of late Shri Sat Pal Ahuja, wherein it has been alleged that the petitioner Naresh Kumar, who is running a business of finance and committees, had contacted the complainant in July 2016 and had represented that he is going to start a committee of ₹ 5 lacs for 15 months and had convinced the complainant to invest in the said committee. It is alleged that the complainant believing the words of the petitioner to be correct became a member of two committees and deposited an amount of ₹ 6.12 lacs. It is alleged that subsequently when the complainant and her mother required the amount and asked for the same from the accused he kept on dilly-dallying

and told the complainant that they have to give blank stamped papers and also the original sale-deed of their house and since the complainant was in dire need of money they agreed for the same and the petitioner obtained signatures of her mother on the said blank stamped papers.

It is further the case of the prosecution that subsequently the aforesaid blank stamped papers were converted into an agreement to sell.

Notice of this petition was issued to the State vide order dated 26.6.2018.

The learned State counsel assisted by learned counsel for the complainant has opposed the petition.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in fact the petitioner has concealed the fact that on an earlier occasion also she had filed identical complaint to the police, which was subsequently withdrawn.

On the other hand, the learned State counsel has submitted that the petitioner is a habitual offender inasmuch as several cases are pending against him in respect of identical allegations. It has been submitted that during the course of investigation, the investigating agency has collected evidence to the effect that there were other identical agreements and also two other compromises between one Anjali Sharma and accused Naresh and between one Sulekha Bashin and Naresh, wherein the matter had subsequently been compromised and the documents were returned by the accused Naresh Kumar.

The learned State counsel has also submitted that another FIR bearing No.0409 dated 27.7.2018 registered under Sections 120-B, 406, 420, 467, 468, 471 and 506 of Indian Penal Code, 1860 at Police Station

Yamuna Nagar City, Yamuna Nagar, wherein also identical allegations have been levelled by some other complainant, has also been lodged necessarily indicating that the petitioner is indulging into committees and is duping several persons of huge amount. It has been submitted that custodial interrogation would be required so as to unearth the entire details of the persons defrauded by the petitioner and also to recover the amount defrauded.

Having regard to the aforesaid facts and circumstances, I do not find any ground to grant anticipatory bail to the petitioner. The petition, as such, is without merits and the same is hereby dismissed.

2.8.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No