

CRM-M-33269-2018 (O&M)

Date of decision:28.08.2018

Neeraj Kakkar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rajnish K. Gupta, Advocate, for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Mr. Iqbal Singh Saggu, Advocate
for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Section 438 Cr. P.C. for grant of anticipatory bail to the petitioner in case FIR No.0088, dated 29.05.2018 under Section 420 of IPC, registered at Police Station Navi Bara Dari, District Jalandhar.

Vide order dated 03.08.2018, the petitioner was granted interim protection and was directed to join the investigation.

Today, Mr. Iqbal Singh Saggu, Advocate has appeared on behalf of the complainant and submits that the petitioner has obtained the interim order by putting wrong facts before the Court. It is contended by counsel for the complainant that the petitioner has wrongly stated to the Court that recovery of electronic material has already been effected by the police.

Learned State counsel, being instructed by ASI Paramjit Singh, also supports the contention of the counsel for the complainant that no recoveries have been effected from the petitioner, so far. He also points out

that the petitioner has made a wrong statement to obtain the interim order.

As pointed by the learned State counsel, the allegations against the petitioner are relating to business in Bitcoins and thus are of complicated nature. The amounts involved in these illegal transactions run into hundreds of crores. These transactions are alleged to be fraudulent. This contention of State counsel finds support from the counsel for the complainant as well.

The police is yet to recover definite materials in support of the allegations. The recoveries could not be effected because the petitioner has been enjoying the interim protection granted by the Court.

Since, the offence involved is in serious proportions and the petitioner even tried to give incorrect information at the time of passing of ex-parte interim order, therefore, this Court does not find any ground to interfere with the investigation to be conducted by the police. Accordingly, the present petition is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

28.08.2018

Hemlata

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No