IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35645 of 2018
Date of decision:29.10.2018

Deepak Kumar Dangi .....Petitioner

Versus

State of Haryana .....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Manoj K. Tanwar, Advocate for the petitioner.
Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

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GURVINDER SINGH GILL, J.

The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.106 dated 1.8.2017 under Sections 420, 467, 468, 471, 120-B of Indian Penal Code, 1860 and under Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 at Police Station City Sohna, District Gurugram.

The FIR was lodged on the basis of a complaint dated 1.8.2017 submitted by Chanderpal Saini and other investors wherein it has been alleged that the accused had usurped an amount to the tune of ₹ 15-20 crores of the investors and had cheated innocent, gullible investors including the complainant. It has further been alleged that Sanjay Singh Mewara, Chairman of Shri Ram Real Estate & Business Solution Ltd., M/s Ananya Group of Companies, M/s Herbal Fleet, M/s Sai Ram Buildtek, M/s Shri Ram Multi Pvt. Ltd., M/s Samardiya Group

Pvt. Ltd. and Deepak Kumar Dangi, Mohsin, Talib, Mushid Khan, Rajesh Kumar, Ashwinder Singh Jadon, Hans Raj, all Directors of the said company had grabbed the amount of investors. It is alleged that in 2012, the accused met the complainant and who represented that they will provide more interest from the bank on FD and RD and the money will become payable in 5 years 6 months. Deepak and Mohsin induced them to deposit money and on the basis of assurance of the said Deepak and Mohsin, complainant invested money in their company but when the maturity period was over and complainant sought his matured amount, the accused persons avoided payment of the same and pressurized all the complainants. Later, the accused issued some cheques which have been dishonoured. The allegations of cheating, fraud and forgery have thus been raised against the accused by the investors.

The learned counsel for the petitioner has submitted that he does not have any stake in the company and that in fact he himself was one of the investors who has also lost his money and that although he is stated to be Director of the firm in question, but he is said to be having only 10 equity shares out of the total of 10,000 shares. It has further been submitted that the petitioner has been behind bars since the last more than one year and that since challan has already been presented, therefore, the petitioner deserves the concession of bail.

On the other hand, the learned State counsel has submitted that upon investigation, evidence to the effect that accused had cheated innocent investors of an amount of ₹ 6.43 crores had been collected and that in view of the colossal amount involved in the present case, no case is made out for grant of bail.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner is specifically named in the FIR and is one of the Directors of the company and that the allegations pertain to defrauding innocent investors of a huge amount of more than 6 crores, in my opinion no case for grant of bail is made out.

The petition, as such, is dismissed. The trial Court is, however, directed to expedite the trial.

(GURVINDER SINGH GILL)
JUDGE

29.10.2018
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Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No