IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.40097 of 2018
Decided on: 21.09.2018

Sandeep Singh Bal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vishal Deep Goyal, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.214 dated 03.11.2017 registered under Sections 420 and 120-B of the Indian Penal Code, 1860 (in short 'IPC') at Police Station Beas, District Amritsar.

As per the allegations in the FIR, the petitioner – Sandeep Singh Bal is a partner in 04 companies and he has allured the victims to invest huge money in lieu of which, the accused persons were to give huge profits. It is stated in the FIR that an amount of Rs.3 crores was collected by the accused persons, from 2207 members and first installment of Rs.2484/- was taken and at the time of first installment in order to allure the complainants, some of the members were given LEDs of SONY or SAMSUNG company. It is further stated that the petitioner being a partner of Winning Edge Corporation and Bhaiwal Newhope Draw, has taken the money of the poor victims and thereafter, they have closed the business and cheated the victims.

Counsel for the petitioner has submitted that there is nothing on record to show that the petitioner is a partner of Newhope Lottery System Lucky Draw or a shareholder of Winning Edge Corporation, Daily Shoppi Company or Rulk Proxileut Company. It is further submitted that the co-accused of the petitioner – Jagjit Singh and others have been granted the concession of interim anticipatory bail vide order dated 10.09.2018 passed in CRM-M Nos.36735 and 39478 of 2018.

Counsel for the State, on instructions from the Investigating Officer, has, however, opposed the prayer for bail. It is stated that before registration of the FIR, an enquiry was conducted by the Deputy Superintendent of Police and the operative part of the enquiry, which is part of the FIR, reads as under:-

> *"Deputy Superintendent of Police, Baba Bakala has wring in his enquiry report that Sandeep Singh Bal son of Jarnail Singh, resident of Satowal, Sukhjinder Pal Singh son of Gurdev Singh, resident of Gurunanakpura (Budha Theh Beas), Rajbir Singh Mahal son of Gulzar Singh, resident of Mahal at present E-11, Ranjit Avenue, Amritsar, Jaswinder Singh Dhillon son of Dalbir Singh, resident of Budha Theh Beas, Jaranjit Singh brother of owner of Sonu Auto Beas, Jagjit Singh, residents of Jalal Usma, under scheme of New Hope Lottery System Lucky draw and apart from this, Sandeep Singh Bal, resident of Satowal, Sukhjinderpal Singh, resident of Guru Nanakpura (Budha Theh Beas), Rajbir Singh resident of E-112, Ranjit Avenue Amritsar, Jaswinder Singh Dhillon, resident of Budha Theh Beas after making shareholders of Rulk Proxileut, Winning Edge, Jeb-Nob and Daily Shopee companies and after taking innocent people in their undue influence with an intention to commit cheat and under pre-planned*

conspiracy have committed cheating under Lucky draw and share markets of above mentioned various companies. Against them, investigation is to be conducted after registration of case. From my inquiry, above mentioned facts were found. I agreed with the inquiry report of Deputy Superintendent of Police, Baba Bakala."

Counsel for the State has further submitted that the case of the petitioner is distinguishable from the co-accused, Jagjit Singh and Jarmanjit Singh as it is their case that they are partners of M/s. Sonu Autos, a motorcycle dealers, who was supplying motorcycles in a bulk sale and they are not partners of M/s. Winning Edge Corporation and M/s. Lucky New Hope. Similarly, it is case of Sukhjinder Pal Singh that he is a dealer of LEDs and running a business of M/s. Biznext, whereas the allegations against the petitioner is that he is running M/s. Winning Edge Corporation as well as M/s. Lucky New Hope and by way of alluring more than 1900 persons to invest their money in the monthly lucky draw schemes, after collecting huge amount of hundred crores of rupees, they have closed their business and are now absconding.

Counsel for the State has further submitted that the petitioner along with his co-accused under the garb of lucky draw schemes in the name of M/s. New Hope Lucky Draw, have defrauded many persons from the general public and in a similar manner by running other companies in the name of Proxilute, Winning Edge, Jaynob and Daily Soppi, the petitioner along with his co-accused induced the victims to invest huge money and later on, neither they have paid back the money nor as per the lucky draw, they have returned the money.

After hearing counsel for the parties, I find no ground to grant the relief of anticipatory bail to the petitioner. The allegations against the petitioner are serious in nature that by floating different companies, mentioned-above, the petitioner has allured the victims/complainants from the general public to invest their huge amount worth crores of rupees and promised them to pay back the amount on higher rate of interest, thus, he has cheated more than 1900 victims. The scam runs into crores of rupees and, therefore, custodial interrogation of the petitioner is required for unearthing the same and for recovering the defrauded amount collected by the petitioner and his co-accused.

Accordingly, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

21.09.2018
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No