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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1759/2018**

MS. PRIYANKA KUMARI

..... Petitioner

Represented by: Mr. Kirti Uppal, Sr. Adv. with Mr.
Saleem Ahmed, Mr. Charu Dalal, Mr.
Ajay Pratap Singh, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP with
ASI Azad Singh PS Cr.Br.
Mr. Ishwar Singh, Adv. for
complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.12.2018

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1. By this petition the petitioner seeks anticipatory bail in case FIR No. 159/18 under Sections 419/420/467/468/471/120B/34 IPC registered at PS Crime Branch.

2. The above-noted FIR was registered on the complaint of one Chattish Kumar who made the complaint on 11th June, 2018 against the petitioner and Amit Pal for cheating of more than one crore. The modus operandi adopted by the petitioner and co-accused were that they lured innocent people for providing job in Government sector like Railway and SBI Bank, resulting in 14 unemployed youth of Rajasthan falling prey to the conspiracy of the petitioner and on the pretext of providing a job in conspiracy with the petitioner the co-accused received a total sum of more than one crore rupees

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from the 14 unemployed youth residing at Rajasthan.

3. Chattish Kumar has stated that in the month of February, 2017 he had come to appear in the examination of DMRC and stayed with the petitioner in her room at Mahipalpur, Delhi. Thereafter the petitioner called him on phone and told him that she had a contact with a person who can provide Govt. job in Railway as Ticket Collector and will charge ₹7 to 8 lakhs for the post. Accordingly Chattish consulted his family and told her that he is ready to pay ₹ 7 lakhs for the post of TC in Railway. Chattish came to Delhi on 18th May, 2017 and called Priyanka on her phone. In response to his phone Priyanka asked Amit Pal to meet the complainant. In the meeting at Mahipalpur, Amit Pal informed that the job has been guaranteed from the back door. Complainant went to the room of Priyanka and gave ₹3.5 lakhs for the post of TC. Thereafter the complainant was taken to New Delhi Railway Station at gate No.5 and handed-over to the accused Manoj Kumar for filling up the form for the post of TC. Chattish Kumar was informed that his date of medical examination will be informed. After 4-5 days the petitioner called on the phone of the complainant stating that he had to come to Delhi for medical examination. When complainant came to Delhi he met the petitioner at Mahipalpur where the petitioner called Amit Pal who took the complainant to Northern Railway Hospital for examination where they met one Kuldeep who took his blood sample and stated that he will inform the outcome of the medical examination. After 15-20 days petitioner informed that the complainant had passed the medical examination and a Roll No. was sent by the petitioner to the complainant by a link. When the complainant opened the link he was shown to have qualified for the job of

TC. Thereafter the petitioner demanded the balance sum of ₹3.5 lakhs which complainant came to Delhi and paid in cash to the petitioner on 25th September, 2017.

4. Petitioner assured the complainant that she could get jobs to his other friends and relatives and thereafter the complainant was given a training letter and told to go to Mujjafar Nagar Railway Station. Phone number of one Dinesh Chaudhary was also provided. Priyanka and Amit Pal told the complainant that since he has been selected from the back door, he need not tell the same to anybody otherwise he has the risk of losing the job. For 15 days Dinesh Chaudhary marked the attendance of the complainant in the attendance register and the complainant was asked to note down the numbers of train from 8 AM to 2 PM on Mujjafar Nagar Railway Station and every day Dinesh Chaudhary used to collect the paper from him. Complainant was advised not to meet the Station Master and after 15 days the complainant was sent back to Delhi for remaining training. Due to the process, the complainant was satisfied that he had actually been selected in the Indian Railways so he told this to his friends and relatives and 13 more candidates agreed for payment for jobs and in this respect ₹8 to 10 lakhs were collected from each of the candidate.

5. During the course of the present petition the petitioner sought to show her bonafides by returning the money and offered to deposit a sum of ₹40 lakhs which was purportedly her share. In view of the modus operandi, since poor aspirants have been cheated of their hard-earned money and this Court sought the willingness of the petitioner to evenly distribute the money amongst the victims, to which the petitioner has objection.

6. Learned counsel for the petitioner submits that the co-accused have been granted regular bail. It may be noted that no co-accused has been granted anticipatory bail and also regular bail was ostensibly on the misrepresentation that the petitioner herein had been granted anticipatory bail.

7. Considering the nature of allegations, the well-planned manner in which the conspiracy was hatched and executed, this Court finds no ground to grant anticipatory bail to the petitioner. The sum of ₹40 lakhs deposited by the petitioner will be kept in a fixed deposit by the Registrar General of this Court which will be subject to outcome of the trial.

8. Petition is dismissed.

MUKTA GUPTA, J.

DECEMBER 05, 2018
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