IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

203 **CRM-M-15516-2018 (O&M)**

DATE OF DECISION: 20.05.2019.

SUNIL KUMAR BHAMBHANI **…. Petitioner(s)**

V/S

STATE OF HARYANA **… Respondent(s)**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Kunal Dawar, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Satyaveer Singh, Advocate for the complainant.

*****

ANUPINDER SINGH GREWAL, J. (ORAL)

Learned senior counsel appearing for the petitioner contends that the petitioner is not named in the FIR wherein the role of the Directors of the Company, namely, Alowk Rastogi, Saroj Bhayana and Satish Kumar Arora in duping the investors has been specified. He also contends that the petitioner is only a broker, who has sold many plots, and none of the persons, who had purchased those plots through him, has any grudge against him. He has also received money from the Company as brokerage and has paid tax on it. He has no connection whatsoever with the complainants in the instant case. He has been arraigned as an accused only on the basis of disclosure statement of co-accused Alowk Rastogi. He further states that the receipts were not issued by the petitioner to the complainants in the instant case. Learned senior counsel also contends that the petitioner has joined investigation on 23 occasions.

Learned State counsel, upon instructions from Mr. Aman Yadav, Assistant Commissioner of Police, states that the petitioner is not cooperating in the investigation and a large sum of money of the innocent investors has to be recovered from him. The petitioner was, in fact, Senior Sales Manager of Klazina Consultants and this factum is reflected in one of the sale deeds which was executed on 22.07.2014. He also contends that the petitioner is accused of misappropriating a huge amount. A sum of Rs.4.23 crores was transferred in the petitioner's account and in the account of his wife. He further states that he is alleged to have duped 629 investors and in the statements of 42 investors, they have specifically stated that the petitioner along with the directors has duped them into investing money in the project. The photograph of the petitioner along with other directors was also published prominently in the brochure issued by the Company seeking investment.

In view of the serious allegations against the petitioner of having allegedly duped innocent investors and large sum of money is to be recovered from him, I do not deem it to be a fit case to grant the benefit of anticipatory bail to the petitioner.

Consequently, the petition stands dismissed.

20.05.2019 **(ANUPINDER SINGH GREWAL)**
SwarnjitS **JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No