IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-46578 of 2018 (O&M)
Date of Decision: January 08, 2019

Ajay Kumar Menon

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vikram Chaudhary, Senior Advocate with
Mr.Sangram S. Saron, Advocate
for the petitioner.

Mr.Gaurav Garg Dhuriwala, Sr.DAG, Punjab
for the respondent-State.

Mr.Sonepreet S. Brar, Advocate
for the complainant.

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INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.114 dated 23.05.2018 under Section 420 IPC, registered at Police Station Kotwali, Bathinda.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per the allegations in the FIR, Appsdaily Solutions Private Limited through Arun Menon, Managing Director, caused financial loss to the complainant. It is stated by the complainant that he is sole proprietor of M/s Goyal Distributors. In October 2013, Rajiv Sharma, an employee of above-said company came to him and informed that accused-company is engaged in the business of Mobile Insurance and asked him to take the distributorship of District Bathinda. As per the allegations, amount has been paid to the accused-company and the complainant became super stockiest of the above-said company. He used to deposit ₹5-7 lakhs with the company and being super stockiest, used to take stock of ₹40-50 lakhs and payment thereof, was made by him to the company. Complainant further stated that he has to take an amount of ₹1.20 crores from Arun Menon and about ₹30 lakhs against the mobiles of customers, claim and amount deposited by the customers but no such amount has been paid to him.

The perusal of the record, especially, the order passed by Court of Session in the bail application, shows that a fraud of about more than ₹300 crores, across the nation, has been committed. Arun Menon has already escaped to United States. The present petitioner is stated to be Chief Operating Officer. Learned Court of Session held that total scam, as per prosecution version, runs in crores of rupees.

Keeping in view the facts and circumstances of the present case and in view of the serious allegations against the petitioner, case being at preliminary stage and also in view of the fact that there is every chance of tampering with the evidence, I do not find it a fit case where petitioner is entitled to grant of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

January 08, 2019 **(INDERJIT SINGH)**
Vgulati **JUDGE**

Whether speaking/reasoned **Yes**
Whether reportable **No**