

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-22128-2019

Date of decision: 23.05.2019

Devender Kumar and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rose Gupta, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana.

Mr. J.K. Sehrawat, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.337 dated 11.04.2017 under Sections 406, 420 IPC, registered at Police Station Civil Lines, Hisar (Haryana).

Learned counsel for the petitioners submits that as per allegations in the FIR, registered by Shailender Bhardwaj, the petitioners, by posing themselves to be Director, Financial Head and I.T. Head of a company, had taken the complainant and other victims in confidence and allured them that if they pay Rs.5,100/- each, they will start doing a business, in which they can earn huge profit by way of marketing. In this manner, the petitioners had

collected Rs.20.00 lacs, which was deposited in the account of company Chandestine Live Network, however, later on the company refused to give them any profit and even refused to refund the amount despite the assurances given by the accused persons that they will refund the amount by re-depositing in their accounts along with interest. The complainant and other victims later on found that website of the company www.clickones.com is closed and the petitioners ran away with the amount collected from them. It is further submitted that the petitioners are only employees of the company and even one of the complainant is involved in a similar case.

In reply, learned State counsel, on instructions from ASI Madan Singh and assisted by learned counsel for the complainant, has however submitted that the petitioners, in conspiracy with each other, floated a fake company and allured number of victims to pay Rs.5,100/- and till January, 2017, an amount of Rs.20.00 lacs was deposited in the account(s) of the company/accused persons and thereafter, they closed the company as well as the website and have embezzled the amount of poor complainant and other victims.

Learned State counsel has further submitted that there are number of complaints against the petitioners at various places, regarding cheating committed by them, with number of persons with similar manner and therefore, their custodial interrogation is required.

After hearing learned counsel for the parties, I find that it is not a case where concession of anticipatory bail can be granted to the petitioners.

Apparently, as per the FIR, an amount of Rs.20.00 lacs has been

collected by the petitioners and they have duped innocent peoples/victims, of their hard-earned money, therefore, custodial interrogation of the petitioners is required to unearth the scam, in which they have duped many persons and also to recover the documents and account statements of the company. Finding the serious allegations against the petitioners, present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

23.05.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No