

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

**CRM-M No.48499 of 2018
Date of Decision:- 30.01.2019**

Gaurav Kumar @ Gaurav Mittal

.....Petitioner

V/S

Union Territory, Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr.Sanjiv Gupta, Advocate
for the petitioner.

Mr. Rajiv Sharma, APP and
Mr. Gautam Kailey, Advocate for
for UT Chandigarh

HARINDER SINGH SIDHU J.

This is a petition for grant of anticipatory bail to the petitioner in case FIR No.352 dated 01.10.2018, registered at Police Station Sector 36, Chandigarh for the offences punishable under Sections 420, 120-B IPC and Section 66C, 66D of IT Act, 2008.

In the FIR, which has been got registered by one Kavita Chandel, it has been stated that her husband is working in the GMCH, Sector-32 where the petitioner is also working. The petitioner informed them that they could earn 4-5 crores by doing the online business of Amazon/Flipkart. As offer was appealing, the complainant invested about Rs.12 lacs. It is alleged that later the petitioner informed that the complainant would have to enroll more people in business only then they would be able to get adequate return.

Learned counsel for the petitioner states that the petitioner has no concern with the said company. He had only suggested to the petitioner to invest which he did. Complainant also earned some profit thereon. If the complainant is not satisfied with the transactions/investment, which was of his

own volition, the petitioner cannot be held liable for the same.

Learned counsel for the petitioner states in pursuance of the order dated 24.12.2018, granting interim anticipatory bail, the petitioner has already joined the investigation.

Learned State counsel does not dispute the aforesaid fact.

In this view of the matter, the petition is allowed. The order dated 24.12.2018, granting interim anticipatory bail, is made absolute subject to the conditions provided under Section 438(2) Cr.P.C.

30.01.2019

Atul

Whether speaking/reasoned

Whether reportable

(HARINDER SINGH SIDHU)

JUDGE

Yes/No

Yes/No