

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4008 of 2020**

- Apoorav Gupta S/o Ramsevak Gupta Aged About 30 Years R/o Plot No. 2/13 Himalaya Pride B - Tower Grater Noida U.P. Gautambudha Nagar District (Revenue And Civil) Greater Noida, Uttar Pradesh

---- Applicant

**Versus**

- State Of Chhattisgarh Through Police Station Khursipar District (Revenue And Civil) Durg, Chhattisgarh

---- Respondent

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|---------------|---|----------------------------------|
| For Applicant | : | Mr. Sumit Jhawar, Advocate.      |
| For State     | : | Mr. Alok Bakshi, Additional A.G. |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****06/10/2020**

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.266/2019 registered at Police Station- Khursipar District (Revenue And Civil) Durg, C.G. for the offence under Sections 420, 467, 468, 471, 201 & 120-B of IPC and Section 66-D of Information Technology Act.
2. Prosecution case is that the applicant and other co-accused hatched conspiracy to cheat complainant- Manorama Jain in the name of providing her insurance and investment scheme of installation of towers and from time to time huge amount was collected from the complainant, to the tune of Rs.62 lacs and in this manner, complainant was cheated.
3. Learned counsel for the applicant would argue that the applicant has been involved in the alleged commission of offence without there being any clinching material to show that the applicant is prima facie involved in the alleged act of conspiracy. He would submit that only on the basis of memorandum statement of the co-accused, the applicant cannot be said to be involved unless it is found that except working, he received money either from

the complainant by way of cash or cheque or he received money or transfer money in the accounts of other accused of the case. He would further submit that similarly situated employees working in the call center were made witnesses and they have stated in the diary statement that they were engaged as an employee and used to supplied list of customers to call them and encourage for investments and nothing more. His next submission is that the applicant is in jail since 13.12.2019, investigation is complete, charge sheet has been filed and trial is not likely to be concluded early, therefore, at this stage, the applicant may be granted bail.

4. On the other hand, learned State Counsel opposes and submits that in the charge sheet, specific name of some of the accused has directly involved in the alleged commission of offence, in which, more than Rs.62 lacs were collected from the complainant from time to time over a period and these amounts were distributed by the co-accused amongst themselves. In these names, name of the present applicant is specifically mentioned.
5. At this stage, taking into consideration that bail application of co-accused Ranjeet Singh has been rejected by the Coordinate Bench on 14.07.2020 and other accused has already withdrawn their bail applications, this application is also liable to be rejected.
6. The bail application is accordingly rejected.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**