

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

CRM-M-17963-2020 (O&M)

Date of decision : 16.07.2020

Manjusha Saurabh Pandey @ Manjusha Pandey

...Petitioner

Versus

State of UT Chandigarh

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

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

Mr. Amit Kumar Goyal, APP, UT Chandigarh.

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**ANIL KSHETARPAL, J. (ORAL)**

The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, for grant of pre-arrest bail in a criminal case arising from FIR No.206 dated 30.08.2019 registered under Sections 420, 467, 468, 471, read with Section 120-B of the Indian Penal Code, 1860 at Police Station Sector-26, Chandigarh.

This is second petition filed by the petitioner. The first one was dismissed on 18.11.2019 with the following order:-

*“On 27.09.2019, interim protection from arrest was granted to the petitioners on the undertaking given by the learned counsel for the petitioners that remaining amount of ₹50,00,000/- shall be paid within a period of one month. Thereafter, on the application made, time for deposit of the remaining amount was extended by 2 weeks while clearly*

*indicating that no further application for extension shall be entertained.*

*Learned counsel for the petitioners admits that the petitioners have not repaid the amount.*

*In view thereof, this Court is not inclined to grant concession of pre-arrest bail to the petitioners.*

*Accordingly, the present petition is dismissed.”*

In a nutshell, the case of the prosecution is that the accused party approached the first informant with a plan that they are going to organize an event in Bay Area at California. He was lured to invest a sum of ₹1,00,00,000/- with requisite consent and invitation letters. It was disclosed by the accused that noted Cine Stars would launch first ever Indian Academy Awards in the month of July, 2017. The complainant was promised return of ₹2,00,00,000/- for which post dated cheques were issued. The cheques on their presentation to the Bank were dishonoured. The promised event also never took place.

Learned counsel appearing for the petitioner has submitted that the main accused namely Saurabh Pandey has been granted the concession of bail. He further submitted that Sh. Saurabh Pandey is the sole proprietor of the firm and, therefore, the petitioner has no role to play.

This Court has considered the submissions of the learned counsel for the petitioner.

It has been noticed for quite sometime that multiple pre-arrest bail applications are being filed in the same case. The pre-arrest bail is to be considered and granted in exceptional cases. It can never be claimed as a matter of right. Still further, when the petitioner filed first petition, she was

granted interim protection on 27.09.2019 because learned Senior counsel appearing on her behalf undertook to deposit remaining amount of ₹50,00,000/- within a period of one month. Thereafter, on an application made, the time for depositing the amount was extended. Still, the amount was not deposited. Thus, the petitioner has not been fair to the Court.

As regards bail granted to Sh. Saurabh Pandey, it may be noted that he has been granted the concession of regular bail after noticing that he is in custody for more than six months. Sh. Saurabh Pandey was arrested when he was trying to leave the country. Still further, the allegations made against the petitioner are specific.

Keeping in view the aforesaid facts, this Court is not inclined to grant pre-arrest bail to the petitioner.

Accordingly, the present petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid judgment.

**16.07.2020**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                  Yes/No**