

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

CRM-M-47124-2019(O&M)

Date of decision:-6.2.2020

Karam Chand

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.M.S. Tiwana, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

H.S. MADAAN, J.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Karam Chand, an accused in FIR No.0031 dated 16.2.2019, under Sections 420/120-B IPC, registered with Police Station Division 6, District Ludhiana.

Briefly stated, the facts of the case as per prosecution version are that Harpreet Singh son of Joga Singh, resident of village Badshahpur, Tehsil Malerkotla had submitted a written complaint to the Commissioner of Police, Ludhiana for registration of FIR, which was forwarded to Police Station Division No.6, Ludhiana. *Inter alia*, the complainant contended that Singhland Investment Ltd. and Singhland Real Estate & Infratech Ltd., SCF Finance Ltd. and Singhland Group of Companies had started business in the year 2005 in District Sangrur; that Karam Chand Verma

present petitioner and proprietor of the company, namely, Savinder Singh Khokhar connected people with the companies by paying door to door visits and collected money from them by giving allurements of payment of interest at higher rates; they had recruited agents in the companies; since the business increased, branches of those companies were opened in several parts of States of Punjab, Himachal Pradesh, Haryana and Uttar Pradesh and a sum of Rs.200 crores was collected; out of those companies, two companies are working under guidelines of RBI but SCF Finance Ltd. was closed though its liabilities are still pending; the company Singhland Investments Ltd. is still working under guidelines of RBI; the owner of the company used to address the agents of all branches that Singhland Investments Ltd. could become a bank in near future; such company extorted money from people in the name of RBI; many policies issued by such company had matured and the value of such policies happened to be Rs.10 to 12 crores but money was not being returned to investors; the investors were harassing agents of companies; the proprietor of the company started tampering with the software and had issued cheques to several customers but those were not encashed, in that way, crores of public money have been misappropriated.

On the basis of such complaint, formal FIR for the offences under Sections 420/120-B IPC was registered with Police Station Division 6, District Ludhiana.

On registration of formal FIR, apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was

declined by learned Additional Sessions Judge, Ludhiana vide order dated 9.10.2019. As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State, which put in appearance through counsel.

I have heard learned counsel for the parties besides going through the records.

The allegations against the petitioner are very serious and grave of being CEO of the company, which has cheated innocent investors depriving them of their hard earned money running into crores of rupees.

In case of *State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268*, Hon'ble Apex Court had observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in getting useful informations.

Custodial interrogation of the petitioner is definitely required for complete and effective investigation so as to unfold the complete story as to under what circumstances, the conspiracy to commit offence of cheating, fraud and misappropriation of money of investors was formulated; who are part of that conspiracy and how it was executed. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called

for.

Thus finding no merit in the petition, the same stands dismissed.

6.2.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No