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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-55699 of 2019
Date of Decision: June 12, 2020

Pardeep Dube @ Pardeep Dubey and another

......Petitioners

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. R.S. Mamli, Advocate
for the petitioners

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

Status report by way of affidavit of Dr. Ravinder Kumar, HPS, Deputy Superintendent of Police, City Sonipat has been filed and the same is taken on record. Registry is directed to tag it at the appropriate place and page mark it accordingly.

The petitioners seek grant of anticipatory bail in case FIR No. 517 dated 11.09.2019 registered under Sections 406, 420, 120-B IPC at Police Station Sonipat City, District Sonipat.

According to the FIR, the petitioners and their co-accused collected money from the complainant and others with the promise that regular returns would be paid. However, no money was ever paid.

Learned counsel for the petitioner submits that the petitioners have themselves been duped by promoters of Garvit Innovative Promotors Ltd. On the basis of list Annexure P-2, it has been submitted that petitioner No. 1 has invested a sum of Rs. 31,67,100/- whereas petitioner No. 2 had invested a sum of Rs. 3,10,500/-. Cheques given in lieu of the money invested are collectively annexed as Annexure P-3 but the same were dishonored. Thus, it is apparent that the petitioners are themselves the victims and arraying them as an accused is abuse of the process of law.

Learned State counsel, however, submits on the basis of the status report aforementioned that there is evidence available with the Investigating Agency that the petitioners were issuing receipts on behalf of the Company aforementioned and that the contention that the petitioners had invested money could not be verified as they failed to produce the relevant receipts. They also gave evasive replies when they joined investigation subsequent to the interim order granted by the Session Judge, Sonipat. Accurate details of bank account were also not made available. Examination of the bank accounts whose details were given revealed that the petitioners had received money in their accounts from the Company aforementioned. The investigation till date shows that the petitioners were hand in glove with the co-accused and have duped large number of people. Custodial interrogation is necessary to unearth all the details. The Court of Session, Sonipat, refused to confirm the interim bail as the petitioners did not cooperate with the investigation and, thus, the contention of learned counsel for the petitioners that petitioners would produce all the necessary details if they are made to join investigation, can not be believed.

Having heard counsel for the parties in detail, I am of the opinion that the petition deserves dismissal. There is nothing on record except the self serving of the petitioners to indicate that the money was infact invested by them in the Company aforementioned. Receipts could not be produced by them when they joined investigation pursuant to the interim orders of the Court of Session. Even now the receipts have not been placed on record. Cheques (Annexure P-3) cannot be co-related with the alleged investment made by the petitioners. They may also have been issued for payment of commission as has been stated in the status report submitted by the State. Economic offences are on the rise and need to be nipped in the bud.

Accordingly, the petition is dismissed.

June 12, 2020 **[SUDHIR MITTAL]**
reena **JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No