

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

(Sr. No. 205)

CRM-M No. 9390 of 2021

Date of decision : 05.10.2021

Talib Hussain

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Afzal Hussain, Advocate for the petitioner.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 470 dated 07.10.2019 registered under Sections 120-B, 406, and 420 IPC at Police Station City Gohana, district Sonipat.

Briefly stated, the case of the prosecution is that the petitioner and his co-accused formed a fake Company and in its name allured members of the general public to deposit money with them on the promise of high returns but after accepting the deposits of a cumulative sum of about Rs.25 lakhs the petitioner and his co-accused fled from the area.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner is not named in the FIR in question; there is no evidence with the State that the petitioner was ever a Director in the so called Company which accepted deposits from the

general public and that the petitioner is also ready and willing to join the investigation as and when called by the investigating agency.

Learned State counsel opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is a habitual offender as there is another case of similar nature pending against him in which he has indulged in similar activities in another district of the State of Haryana and that the petitioner has duped the poor strata of the society by accepting small deposits from them and then fleeing with a cumulative sum of about Rs.25 lakhs.

After considering the totality of the above facts and in particular that the petitioner faces another criminal case containing similar allegations as in the present case of duping investors belonging to the poor strata of the society as also because the petitioner's *modus operandi* and involvement of other persons, if any, is required to be found out, custodial interrogation of the petitioner is considered necessary.

Dismissed.

05.10.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No