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

**CRM-M No.9668 of 2021(O&M)
Date of Decision: 19.04.2021**

Baljeet Yadav **......Petitioner**

Vs

State of Haryana **.....Respondent**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Nitin Jain, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. N.S. Shekhawant, Advocate
for the complainant.

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<u>RAJ MOHAN SINGH, J.</u>

[1]. The case has been taken up for hearing through video conferencing.

[2]. The petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.0579 dated 06.11.2020 registered under Sections 120-B, 406 and 420 IPC at Police Station City Mahendergarh.

[3]. FIR was registered on the statement of Rakesh Kumar to the effect that Satyavir Singh ex-Sarpanch was known to him.

One day, Pradeep Kumar neighbour of the complainant called the complainant and Satyavir Singh to his house under a well-planned conspiracy so as to cause wrongful loss to the complainant and Satyavir Singh and wrongful gain to him. He induced the complainant and Satyavir Singh to invest money in the purchase of land in Rajasthan. Complainant and Satyavir Singh rejected the proposal of Pradeep Kumar. On 10.03.2018, the complainant and Satyavir Singh were called to the office of Sartaj Group adjoining to his house, where Pradeep Kumar and his nephew Baljeet Yadav (petitioner) were present along with Mahinder Singh and Lila Ram. Pradeep Kumar and Baljeet Yadav told the complainant that there is a partnership in Toll Plaza at Chittorgarh, Rajasthan which is running and one Toll Plaza at Jhalawad, Rajasthan and the complainant party should invest Rs.1.25 and 1.5 crores in both these Toll Plazas and become partners so that these Toll Plazas can be properly operated. Pradeep Kumar stated that he is taking guarantee of secured investment and will give Post Dated Cheques (PDC). In this manner, Pradeep Kumar and Baljeet Yadav lured the complainant and Satyavir Singh to invest money under a well planned conspiracy to cheat the complainant party. The amount was paid through RTGS as well as cash in the account of Sartaj Mega Project Private Limited.

[4]. According to the complainant, an amount of Rs.2 crores 80 lacs has been swallowed by the accused party. The amount was paid from March 2018 till May 2018. First Toll Plaza was at Khushkhera-Kasola Chowk. Letter of acceptance was issued on 08.05.2017 for a period commencing from 15.05.2017 to 31.03.2018. This Toll Plaza was in the name of M/s Sartaj Infrabuilds Pvt.Ltd. and not in the name of Sartaj Mega Project Pvt. Ltd., in which the amount was invested by the complainant and Satyavir Singh. The accused kept on receiving amount till May 2018 i.e. beyond the period for which the aforesaid Toll Plaza was allotted. Second Toll Plaza according to Annexure P-5 i.e. letter of acceptance dated 09.05.2018 was for a period commencing from 10.05.2018 to 31.03.2021. This Toll Plaza was also in the name of M/s Sartaj Infrabuilds Pvt. Ltd and this Toll Plaza was surrendered on 23.07.2018 by the Company i.e. M/s Sartaj Infrabuilds Pvt. Ltd.

[5]. Learned counsel for the petitioner by placing on record letter of acceptance dated 09.05.2018 submitted that in fact the period of operation of second Toll Plaza was from 10.05.2018 to 31.03.2019 and the document Annexure P-5 has been wrongly attached with the petition.

[6]. It appears that Annexure P-5 is also a photostat copy of letter of acceptance with some change in the subject and memo

number. Learned counsel further submitted that in fact, the petitioner and Satyavir Singh were made Directors in Sartaj Mega Project Pvt. Ltd. on 17.11.2018. First Toll Plaza had the period from 15.05.2017 to 31.03.2018 that too, in the name of M/s Sartaj Infrabuilds Pvt. Ltd., in which the amount was never invested by the complainant and another. Second Toll Plaza was surrendered by the accused on 23.07.2018, even during currency of the period for which the same was allotted. The accused/petitioner even issued post dated cheques of the amount in question from the account of M/s Sartaj Infrabuilds Pvt. Ltd., which was ultimately dishonoured. Learned counsel further submitted that in fact, the complainant and Satyavir Singh were made Directors in the business of Toll Plaza, Mines and Housing Projects.

[7]. Perusal of Annexure P-10 i.e. letter issued by the office of Assistant Mineral Engineer, Mine and Geology Department dated 07.08.2019 would show that mining lease of M/s Balaji Builders for minerals cheza stone area 1.00 hectare was sanctioned in favour of M/s Sartaj Infrabuilds Pvt. Ltd. under Rule 27 of MCR 2017.

[8]. According to the learned counsel for the complainant, mines were not in the name of M/s Sartaj Mega Project Pvt. Ltd., in which amount was invested. Complainant and Satyavir

Singh have been cheated in a very well-planned manner. Till date, no amount has been paid to the complainant and Satyavir Singh. The stand of learned counsel for the petitioner that the petitioner and Satyavir Singh were made Directors in the company M/s Sartaj Mega Project Pvt. Ltd. and were involved in the business of Mines and Housing Projects, would not be of any use at this stage as the post dated cheques issued in favour of the complainant from the account of M/s Sartaj Infrabuilds Pvt. Ltd. have already been dishonoured. The complainant has also asserted that the signature of the complainant on the alleged directorship is a forged document, for which custodial interrogation of the petitioner is also required along with his custodial interrogation for other offences.

[9]. In my considered opinion, the intricated issues require proper investigation and in order to bring out the truth, the custodial interrogation of the petitioner is required. Finding no ground to interfere in this petition, the same is dismissed.

19.04.2021 **(RAJ MOHAN SINGH)**

Prince **JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No