

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

CRM-M- 18477-2021 (O&M)

Date of Decision: May 11, 2021
(Heard through VC)

Suneeta Dhawan and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S. S. Rangi, Advocate
for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

Mr. SPS Sidhu, Advocate for the complainant.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in FIR No. 48 dated 25.03.2021, registered under Sections 420, 120-B of Indian Penal Code at Police Station Machhiwara, District Khanna, Ludhiana.

2. Learned counsel for the petitioners has vehemently argued that the allegations as set out in the FIR pertain to bouncing of two cheques issued by Abhishek Dhawan for an amount of Rs. 25 lakh and another cheque issued by Monika Dhawan, for an amount of Rs. 15 lakh, therefore,

the petitioners herein cannot be held accountable for the same. Consequently, a prayer is made for grant of anticipatory bail to them.

3. Appearance has been caused on behalf of the respondent-State and the complainant since advance notice had already been issued to him. Appearance has also been put in by the complainant. It is pointed out that Rajinder Kumar Dhawan, one of the petitioners herein is an LIC agent and his wife Ms. Suneeta Dhawan is an agent of the post office and they are dealing with deposits of marginal persons. Both the petitioners are none other than the parents of above said Abhishek Dhawan and Monika Dhawan. Learned State counsel would contend that in fact, the petitioners herein along with their two children have sold their house and have fled the area and on coming to know that the petitioners have fled, as many as 47 complaints from marginal depositors along with complaints of small depositors/investors in the LIC policies and depositors in the post office have been filed against the petitioners, alleging that they have been duped of their money. It is contended that even though there is no direct allegation against the petitioners herein, yet their custodial interrogation would be required to find out the modus operandi as to how they managed to dupe the complainant apart from 47 other complainants in complaints pending against the petitioners. It is further contended that the petitioners along with their two children duped investors/marginal depositors almost for an amount of Rs. 4 crores approximately.

4. I have heard counsel for the parties and have gone through the pleadings of the case. A reading of the FIR itself would reflect that there is a categorical averment made therein that the petitioners herein along with

their two minor children have duped the complainant, sold their house and have disappeared. The matter thus would require custodial interrogation of the petitioners. Moreover, the conduct of the petitioners who have allegedly duped small investors of their hard earned money does not allow this Court to exercise its discretionary jurisdiction in allowing anticipatory bail to them.

5. In view of the above, the instant petition is hereby dismissed.

May 11, 2021
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No