

201 **IN THE HIGH COURT OF PUNJAB & HARYANA**
AT CHANDIGARH
CRM-M-46977-2019
Date of Decision: 03.08.2021
RICKY AHUJA ... Petitioner
Versus
STATE OF PUNJAB ... Respondent
CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present : Ms. Anu Garg, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Ajit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.31 dated 13.03.2019 at Police Station Mataur, District Mohali, under Sections 406/420/120-B IPC.

2. The FIR was lodged at the instance of Raj Vikramdeep Singh and Munjanpreet Singh against Hari Ram Joshi, his son Vinod Kumar Joshi, Shashi Kumari and Ricky Ahuja, wherein it is alleged that the said persons induced the complainant to make investment for the purpose of setting up a Controlled Atmosphere Cold Store. It is alleged that Hari Ram Joshi represented that his son Vinod Kumar Joshi and his wife Shashi Kumari and his associate Ricky Ahuja are providing turnkey services for setting up of the above Controlled Atmosphere Cold Store. By inducing the complainant in this manner, he was made to part with an amount of Rs.15 Lakhs. Further the complainant was also induced to sell the land which was in his sister's name for an amount of Rs.1.25 crores, which was in fact valued at Rs. 1.70 crores. It is thus, alleged that the accused had defrauded the complainant of an amount of Rs.1.40 crores.

3. Learned counsel for the petitioner has submitted that he was

merely employed as a Personal Assistant to Chief Managing Director with M/s M. Agro Food Corporation Private Limited of which Hari Ram Joshi is the Director and Vinod Kumar Joshi is the Chief Managing Director. It has further been submitted that he is not the beneficiary of any monetary transaction and cannot be linked with any fraud committed by the Director or Chief Managing Director of the Company.

4. On the other hand, learned State Counsel has informed that pursuant to interim directions the petitioner has since joined investigation and that he is not wanted in any other case. Upon a query made by this Court to learned State counsel as to whether there is any evidence as on date to show that the petitioner had benefitted from the investment made by the complainant, learned State counsel could not refer to any such evidence.

5. Having regard to the facts and circumstances of the case and while noticing that the petitioner is not a member of the family of the Director or Chief Managing Director of the Company in question and is stated to be an employee of the Company and while also noticing that the petitioner has since joined investigation and is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 07.11.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

03.08.2021*Ali***(GURVINDER SINGH GILL)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No