

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27075-2022

Date of Decision : July 05, 2022

Rajesh Kumar Rohilla

....Petitioner

Versus

Central Bureau of Investigation

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Deepanshu Mehta, Advocate
for the petitioner.

Mr. Rajiv Anand, Advocate
for the CBI.

Mr. Yogesh Goel, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.RC0052022A0017 dated 11.5.2022 under Sections 388, 365, 352, 323, 506, 120-B IPC, registered at Police Station CBI, ACB, Chandigarh.

Counsel for the petitioner submits that the FIR was registered at the instance of one Abhishek Dogra, who had given his complaint, which was investigated by Raj Singh, ASP, CBI, ACB, Chandigarh. The allegations in the complaint are that the complainant is living in Sector 8, Panchkula and is running a partnership firm

M/s Ocean Global Solutions. One Sunny Verma is his partner. On 10.5.2022 when he was working in his office, at that time, Sunny Verma and 10-15 other employees were there and around 11.00 p.m., 06 persons entered the office and informed that they are from CBI. Out of them, 05 persons told that they are from CBI, while the 6th informed that he was an employee of Bank of India. One of the aforesaid person, whose name was Sumeet Gupta, from CBI, took him to a cabin by showing his I-Card and stated that he is from CBI and has come to enquire about the nature of their work. On this, the complainant informed that he was running a software support business. The said person informed that he has information from interpole about his links with the terrorists and his firm is involved in anti-national activities. Thereafter, he asked for his personal mobile number and when he objected this, he threatened that he will arrest him. On this, the complainant told that he has started the firm only 20 days ago. Thereafter, the other persons also came to his cabin and threatened that he will be arrested and taken to Delhi for supporting the terrorists and demanded Rs.01 Crore for closing the matter.

The complainant informed that he has no such money. Again, one another CBI official slapped him. Thereafter, the complainant was taken to the basement of the parking area and asked him to sit in the car and drive it. One of the CBI officer enquired

about any weapon with the complainant and then two officials entered his car and asked him to drive to Sector 30, Chandigarh.

However, midway they asked him to arrange Rs.25 Lacs. The complainant called his father to inform his brother. His brother called him on mobile phone, which was kept on speaker mode. The complainant informed that CBI officials are demanding Rs.25 Lacs from him. Thereafter, the phone was disconnected. When the CBI officials informed that if the money is not arranged they will take him to the Ambala office and again asked him to come to Zirakpur with money and then they asked him to again go to the IT Branch where their colleagues are waiting. On the way, the tyre of the car got punctured and the complainant in the process of changing of the type, got an opportunity to call his partner Sunny Verma, who informed that they are fake CBI officials and the complainant shared his location to him, who reached there with his employees and there was a scuffle. The complainant ran away towards the forest area where he was rescued by his co-officials and a complaint was given.

Learned Senior counsel submits that the petitioner is running a small Dhaba and known to the CBI officials, who used to visit his Dhaba and there is no allegation of extortion against the petitioner as it is against two other officials and even the petitioner

was introduced as an official of Bank of India by the CBI officials and not by himself.

Learned Senior Counsel submits that the petitioner has not committed any offence as he has not posed himself as the CBI official. It is further submitted that no injuries attributed to the petitioner regarding the allegation of scuffle and as per the FIR, the petitioner demanded the money. Except Section 365 of IPC, the other offences are bailable and triable by a Magistrate.

Learned Counsel for the CBI, assisted by counsel for the complainant Mr. Yogesh Goel, has, however, opposed the prayer.

Learned Counsel for the CBI, on the basis of the reply filed before the Courts of Sessions has submitted that on receiving the complaint, the FIR was registered and 04 CBI Sub-Inspectors, namely, Sumeet Gupta, Pradeep Rana, Ankur Kumar and Aakash Ahlawat were associated in the crime were arrested on 11/12.5.2022 and they are in judicial custody.

It is also submitted that all the accused persons gave slaps to the complainant and threatened him with a false allegations that he is funding the terrorists and in that process they initially demanded Rs.One Crore and then asked the complainant to call his brother to bring Rs.25 Lacs at Zirakpur.

Learned counsel has further submitted that the petitioner has actively participated in the commission of crime as he knew that the CBI officials who had gone to the office of the complainant on 10.5.2022 and have demanded money on the pretext of involvement in a false case and at no point of time he protested by saying that he has been brought only as a witness.

It is also submitted that the petitioner is running a Dhaba and the CBI officials are visiting him regularly, which shows that he has come with a pre-meditated mind in conspiracy with the CBI officials to demand money from the complainant and the petitioner knew that he was not an official of the Bank of India and introduced himself as an employee of the same.

Counsel for the complainant also submitted that the complainant and his partner has opened an office just 20 days ago and without there being any involvement in the criminal activity, the CBI officials, in conspiracy with the petitioner, came to his premises, wherein the petitioner was introduced as an employee of the Bank by saying that the petitioner is funding the terrorist as per the information given by the interpol.

At this, learned Senior Counsel for the petitioner submits that the entire story was cooked up by the CBI officials who are

employees of a fictitious investigating agency involving and harassing the innocent citizens, like the complainant.

After hearing the learned counsel for the parties and looking at the serious allegations against the petitioner, I find no ground to grant the anticipatory bail to the petitioner.

Accordingly, the present petition stands dismissed.

July 05, 2022
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO