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\* **IN THE HIGH COURT OF DELHI AT NEWDELHI**

*Reserved on: November 01, 2022*

*Decided on: November 04, 2022*

+ **BAIL APPLN. 1870/2022**

MAHENDER CHAWLA

..... Petitioner

Through: Mr. Utkarsh Mathur,  
Mr. Roshan Dua and Mr. Luv  
Sharma, Advocates.

versus

STATE

..... Respondent

Through: Mr. Raghuvinder Varma, APP  
for State with SI Lakhan, P.S.  
EOW.

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**CORAM:**

**HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN**

**JUDGMENT**

1. The applicant/accused Mahender Chawla filed the present bail application under section 439 Cr.P.C. for grant of bail in FIR bearing No. 0349/2020 registered under sections 420/406/120B IPC at P.S. South Rohini.

2. The perusal of FIR bearing No. 0349/2020 reflects that it was got registered on the basis of complaint made by Nisha Gulati regarding the alleged cheating and misappropriation of her money and money of about 150 to 200 people who have invested in the

committees being run by the applicant/accused Mahender Chawla and his wife Renu Chawla.

3. During the investigation, the applicant/accused Mahender Chawla and his wife Renu Chawla were arrested on 01.10.2020 and subsequently, the investigation was transferred to EOW and during the further investigation, various complainants were also surfaced and their complaints were clubbed with the present FIR. It is also found that the applicant/accused Mahender Chawla and his wife Renu Chawla have transferred their properties in favour of their relatives and also tried to abscond with the money of the complainants and general public. The Chit Fund being run by the applicant/accused Mahender Chawla and his wife Renu Chawla was not found to be registered with the concerned authorities and accordingly, the offences punishable under sections 4 and 5 of Prize Chits & Money Circulation Scheme (Banning) Act, 1978 were also added. It was surfaced that the accused/applicant alongwith his wife Renu Chawla has cheated a large number of victims (approximately 440 persons to the tune of Rs.20 crores). The charge-sheet has already been filed.

4. The counsel for the petitioner during the course of arguments has referred the complaints made by the various complainants and their respective statements recorded under section 161 Cr.P.C. He argued that none of the complainant has mentioned name of the accused/applicant Mahender Chawla who had taken money from them but his name was subsequently added in the statement under section 161 Cr.P.C. He further argued that the accused/applicant Mahender Chawla is in judicial custody since 01.10.2020 and the prosecution has cited around 470 witnesses as such, the trial would take long time to conclude. The counsel for the accused/applicant also argued that as the investigation has already been completed, there is no possibility on the part of the accused/applicant Mahender Chawla regarding tempering of the evidence and further, the accused/applicant has participated in the investigation without any default. In the circumstances, the counsel for the accused/applicant prayed that he be released on bail.

5. The Additional Public Prosecutor for the State/respondent assisted by counsel for the complainants argued that the accused/applicant Mahender Chawla alongwith his wife Renu

Chawla has cheated more than 450 persons to the tune of Rs.20 crores and they have already sold and transferred their properties in favour of their relatives as such, if they are released on bail, there is a possibility that they will abscond from the trial. He further stated that Renu Chawla was granted interim bail but she has not surrendered before the concerned authority after expiry of the interim bail.

6. It is reflecting that the accused/applicant Mahender Chawla alongwith his Renu Chawla is involved in committing of cheating with around 450 persons to the tune of Rs.20 crores and the nature of allegations against the accused/applicant Mahender Chawla are serious in nature. The accused/applicant Mahender Chawla cannot be released on bail merely on the ground that the trial is likely to take considerable time. After considering the gravity of the offence, no ground for bail is made out. Hence, the bail application is dismissed.

**SUDHIR KUMAR JAIN  
(JUDGE)**

**NOVEMBER 04, 2022**

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