

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**CRM-M-1562-2023**

**Date of Decision:-31.01.2023**

**Ravi Kumar @ Ravikant.**

.....Petitioner.

Versus

**State of Haryana.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Arun Sharma, Advocate for the Petitioner.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General,  
Haryana.

Mr. Nipun Vashisht, Advocate for the Complainant.

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**JASJIT SINGH BEDI, J. (ORAL)**

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.31 dated 31.01.2022 under Sections 406, 420, 467, 468, 471 IPC registered at Police Station Sector 14, Gurugram, District Gurugram.

2. The brief facts of the case are that one Harsh Vardhan got recorded his statement to the effect that he had completed his education from Sandhya Senior Secondary School, Delhi. The principal of that school Sandhya Devi was like a family member. She introduced him to one Nancy Gill. Nancy Gill gave him a phone number 8882024761 of a lady and said that the said lady could help him in getting a Government Job or a job at the airport to earn his livelihood. He called on the said number and the women on the other side disclosed her name as Suprabha Mriduli. She informed him that she could get him a government job in VIP Quota. He gave her a sum of Rs.15,000/- for getting the form for his son and daughter namely Manish and Aarti. Thereafter he gave the first installment of cash of

Rs.50,000/- each for the jobs of Manish and Aarti to the said Suprabha Mriduli. She informed him that one Harsh Vardhan can get jobs for any person such as his relative or well wisher. Thereafter in September 2020 he gave a sum of Rs.22,50,000/- in cash to Suprabha Mriduli for providing a job to his nephew and niece, namely, Ajay, Seema, Pratibha and Priya. Then Suprabha Mriduli got filled the forms of all the children and after some days gave a copy of a Selection Letter and Training Letter to him. He also filled forms of his other relatives in the VIP Quota for which he gave a sum of Rs.19,00,000/- in cash to Suprabha Mriduli and she handed over the copies of Selection Letters and Training Letters to him. She thereafter informed him that she could provide DDA flats in the VIP category on half rates. He informed his relatives. Then a friend of his relative namely Manoj Kumar Sahu was introduced by him to Suprabha Mriduli who told him that Plot No.1-6/13 Rohini, Sector 16, Delhi could be provided to him at half the rate of Rs.70 lacs. For this purpose Manoj Kumar Sahu gave Rs.55 lacs in cash to her. Thereafter he told all these facts to his relative Brij Pal. The said Brij Pal gave a sum of Rs.1.36 Crores to Suprabha Mriduli in his presence for getting a job in the railways and obtaining the DDA Plot No.1-6/13, Rohini, Sector 16, Delhi and for the contract of housekeeping and maintenance at the Delhi Airport. When he asked Suprabha Mriduli from time to time regarding the jobs in question she put him off on the pretext of Covid-19 Pandemic. She however gave photocopies of the joining letters and the aforementioned plots and copies of the tender of housekeeping at the airport. Despite telling her again and again about joining of his children and the starting of the work at the airport, no action was taken by her. Therefore, he was making the complaint with the allegations that Suprabha Mriduli had grabbed a total amount of Rs.2,33,65,000/- on the pretext of providing a job, tender and a plot.

Based on the aforementioned application, the present FIR came to be registered.

3. During the course of the investigation various forged documents which were provided to the complainant and his friends and relatives were taken into police possession. On verification they were found to be forged. Suprabha Mriduli was arrested on 7.4.2022 and her disclosure statement was recorded. A sum of Rs.1 lacs and one Scanner and Printer

used in the commission of the offences was recovered from her. On 11.04.2022 the call detail records and bank account details of the accused persons were obtained. Section 120-B IPC was added in the present case.

Accused Ravi Kumar @ Ravi Kant (petitioner) was arrested on 30.04.2022 and pursuant to his disclosure statement he got recovered a Vivo Mobile Phone having Sim No.8527181856 used in the present case. As per the prosecution case he came into contact with Suprava Muduli in the year 2018 and he joined her in committing the present fraud committed by her.

Kageshwar Mahali (since granted bail vide order dated 24.11.2022 in CRM-M-32312-2022(O&M)) and co-accused Virender Chaudhary (granted bail vide order dated 17.01.2023 by JMFC, Gurugram) were arrested on 24.05.2022. Their disclosure statements were recorded. Kageshwar Mahali got recovered fake documents (in original), HP Pavillion Laptop used in the crime (in which the fake documents were prepared) and the amount of Rs.40,000/-. He also got recovered the coloured photocopy of the GPA of Plot No.21, Village Carterpuri, Dharam Colony, Gurugram which he had purchased from the money obtained from the present fraud. Accused Virender Chaudhary got recovered a sum of RS.20,000/-. He also identified the offices/departments where he used to take the victims while committing fraud with them. The GPA recovered was got verified from the Tehsildar, Gonda (UP). The same was not found to be registered in the said Tehsil.

The laptop recovered from Kageshwar Mahali was sent to DITAC Lab, Gurugram on 17.06.2022 for retrieval of the data. Specimen signatures of the Kageshwar Mahali and Suprabha Mriduli (petitioner) along with questioned and admitted signatures were sent to FSL for comparison and the reports are awaited.

4. The Counsel for the petitioner contends that the petitioner is not named in the FIR but implicated in the present case on the basis of the disclosure statement of the accused Suprava Muduli. The petitioner was in custody since 30.04.2022 and none of the 31 prosecution witnesses had been examined. Since the co-accused of the petitioner namely Kageshwar Mahali has been granted the concession of regular bail vide order dated 24.11.2022 in CRM-M-32312-2022(O&M) (Annexure P-5), another co-accused Virender Chaudhary has been granted the concession of bail by the

court of JMFC, Gurugram vide order dated 27.01.2023 and Suprava Muduli has been granted the concession of bail vide order of the even date passed in CRM-M-58894-2022(O&M), the further incarceration of the petitioner was not required more so when the case was triable by the court of a Magistrate.

5. The Counsel for the State on the other hand contends that the petitioner in conspiracy with the other accused committed the offence in question. Therefore, he was not entitled to the grant of bail. He however, does not dispute the fact that the co-accused of the petitioner namely Kageshwar Mahali, Virender Chaudhary and Suprava Muduli have been granted the concession of bail as also the fact that the petitioner is a first time offender and in custody since 30.04.2022.

6. The Counsel for the complainant has vehemently opposed the bail application contending that the allegations levelled against the petitioner did not entitle him to the grant of bail.

7. I have heard learned Counsel for the parties at length.

8. The petitioner is not named in the FIR but his name figures in the disclosure statement of his co-accused Suprava Muduli who has been granted the concession of bail. Undoubtedly, the veracity of the prosecution case and the culpability of the petitioner shall be adjudicated upon during the course of Trial. The petitioner is in custody since 30.04.2022. The investigation stands completed and none of the 31 cited prosecution witnesses have been examined so far. The case is otherwise triable by the court of a Magistrate. This Court in case bearing **CRM-M-24033-2021(O&M)** titled as **Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab** Decided on **31.08.2022** has held that in cases triable by the Magistrate unless there are serious allegations of accused absconding from trial, or tampering with the evidence, bail should only be declined in exceptional circumstances. In the present case nothing exceptional has been pointed out as to why bail ought to be declined to the petitioner. Neither has the State expressed any serious apprehension of either the petitioner being a flight risk or likely to tamper with the evidence if he was granted the concession of bail.

The co-accused of the petitioner namely Kageshwar Mahali, Virender Chaudhary and Suprava Muduli have been granted the concession of bail vide orders dated 24.11.2022 by this Court and the court of JMFC,

Gurugram dated 27.01.2023 and order of the even date (in case of Suprava Muduli). AS such the further incarceration of the petitioner is not required.

9. Thus, without commenting on the merits of the case, the petitioner-**Ravi Kumar @ RaviKant**son of Sh. Goru Ram is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

10. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing that he is not involved in any other crime other than the present case.

11. In addition, the petitioner (or any one on his behalf) shall prepare a FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

12. The Petition stands disposed of.

( JASJIT SINGH BEDI )  
JUDGE

January 31, 2023

Vinay

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |