

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15922-2023
Decided on : 13.04.2023

Sanjay Verma

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.P.Srivastava, Advocate and
Mr. J.P.Rana, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.164 dated 05.06.2021 for the offences under Sections 406, 420, 506, 120-B and 201 IPC and 4, 76 of Chit Fund Act registered at Police Station NIT, Faridabad District Faridabad.

Learned counsel for the petitioner *inter alia* contends that a totally false and fabricated case has been planted upon the petitioner on the allegations of having lured and duped the complainants for investing money in his chit fund business, by assuring handsome returns to them. In fact, a conspiracy was hatched by the complainants to extract money from the petitioner, which was evident from the fact that had the crime been indeed committed as alleged, a report in the said regard would have been made to the nearest police station by the complainants and not directly to DGP, Haryana through post. It has further been argued by the learned counsel for the petitioner that the petitioner is being

armed-twisted by all the complainants in apparent collusion with the police for recovery of money in a dispute which is essentially of a civil nature.

Learned counsel for the petitioner has further urged that the petitioner has now been in custody since 22.05.2022 and in view of his long incarceration and apparent innocence, he deserves the concession of bail. In support of his submissions, learned counsel has placed reliance upon the judgment of Hon'ble Supreme Court in ***Arnesh Kumar vs. State of Bihar and another, 2014 8 SCC 273*** and ***Satinder Kumar Antil vs. Central Bureau of Investigation (SC) 2021(4) RCR (Crl.) 421***, by urging that even the Hon'ble Supreme Court has held that the object of bail is to secure the attendance of the accused during trial and since the petitioner has clean antecedents, his further incarceration would run contrary to the guidelines issued by Hon'ble Supreme Court in *Arnesh Kumar's case(Supra)* and *Satinder Kumar Antil's case(supra)*.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel opposite. It has been argued by the State counsel that the petitioner along with his family members and relatives had played a huge fraud upon innocent people. They had firstly lured innocent investors to invest in their chit fund business by assuring them of handsome returns and thereafter duped them of their money, running into crores. Still further, learned State counsel on instructions has disputed the submissions made by the counsel opposite of the petitioner having clean antecedents. It has been submitted that the petitioner has duped not only the complainants in the instant case but is also involved in another case in FIR No.57 dated 27.01.2022 under Section 420 IPC and Sections 4 and 76 of Chit Fund Act, 1982 at Police

Station NIT Faridabad, District Faridabad wherein also he has similarly duped and cheated innocent people of more than Rs.11 crores. This Court has also been apprised by the State that charges are likely to be framed on the next date of hearing. Learned State counsel has further submitted that since the petitioner is a habitual offender, there is every likelihood that in case he is enlarged on bail, he would tamper with material evidence and may abscond during trial.

In the light of the nature of accusations levelled against the petitioner in the FIR in question coupled with his criminal antecedents, this Court does not deem it appropriate to extend the concession of regular bail to the petitioner. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

13.04.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No