

**203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-27851-2022
Decided on : 12.05.2023

Ankit Sharma

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naresh Chander, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. AG, Haryana.

Mr. Shokeen Singh Verma, Advocate
for the complainant.

Manjari Nehru Kaul, J.

1. The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No.273 dated 13.06.2022 registered under Sections 406, 420, 34, 120-B IPC (Sections 421, 422, 424 IPC added later on) at Police Station Meham, District Rohtak.

2. Learned counsel for the petitioner submits that in compliance of order dated 04.07.2022, petitioner had joined the investigation and also cooperated with the investigating agency and hence, the said order be made absolute.

3. It has yet again been reiterated by learned counsel for the petitioner that totally vague and false allegations have been levelled against the petitioner in the FIR in question only because he is a relative of accused Suresh Sharma with whom the complainant had some money dispute. Learned counsel submits that to settle the money dispute, the complainant had tried to give a criminal flavour

to the dispute between the parties.

4. Learned State counsel has, however, vehemently opposed the prayer and submissions made by the counsel opposite. While drawing the attention of this Court to the allegations levelled in the FIR in question, learned State counsel has further submitted that co-accused Suresh Sharma was doing the business of commission agent and had procured crops from villagers and farmers. On 08.06.2022, the co-accused Suresh Sharma along with his family went missing from the village after duping innocent villagers of crores of rupees; their house was also found locked. Furthermore, after the registration of the FIR in question, as many as 293 more farmers had approached the police with complaints against the petitioner and the other co-accused, who were still at large.

5. Learned State counsel has further submitted that the custodial interrogation of the petitioner is required as he along with the co-accused i.e. accused Suresh Sharma had embezzled crores of rupees (Rs.40 crores approximately) of the complainant and other innocent villagers. Learned State counsel has further submitted that there was enough documentary evidence on record that even though the petitioner along with his other family members and co-accused had been in regular touch with each other through their mobile phones, however, during interrogation, the petitioner had been totally non-cooperative and evasive about the whereabouts of the main accused Suresh Sharma. Learned State counsel also contended that enough evidence had been collected that the petitioner along with co-accused Suresh Sharma and others had travelled together by air to Bombay after the registration of the FIR in question and there was a likelihood that the co-accused Suresh Sharma and others had already fled overseas.

6. Heard learned counsel for the parties and perused the relevant material available on record.

7. *Prima facie* there are serious allegations levelled against the petitioner of having colluded with the main accused Suresh Sharma and thereafter, cheated large number of innocent farmers, by inducing them to part with their hard earned money on a false assurance of handsome returns, on the money given by them to the accused. As apprised by the learned State counsel, the petitioner has failed to cooperate with the investigating agency. Fraud like the one in hand, which runs into approximate Rs.40 crores, seriously impacts the economic health of the country. This Court concurs with the prayer made by the State that the custodial interrogation of the petitioner is required keeping in view the gravity and severity of the offences alleged. Further, there is every likelihood of the petitioner absconding the process of law if he is extended the concession of anticipatory bail, more so, when all the other accused are on the run.

8. In the facts and circumstances, the petitioner does not deserve the extraordinary concession of anticipatory bail. 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

12.05.2023
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No