

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-36752-2022 (O&M)
Date of Decision:-7.8.2023

Ankit Kumar Kashyap ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shiv Kumar Rana, Advocate for the petitioner.
Mr. Inderpreet Singh Kang, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
27	28.1.2022	Haibowal, District Ludhiana	420, 120-B of Indian Penal Code and Section 66-D of Information Technology Act.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the abovementioned FIR.
2. The FIR in question was lodged at the instance of one Varun Kumar Gandhi, wherein it is alleged that he had been cheated by a company by the name ‘Kavita Group Loan’ and that he had been made to part with an amount of Rs.1,000/- on the pretext that a loan of Rs.3 lakhs would be sanctioned in his favour but no such loan was ever extended to him and that, in these circumstances, he had been cheated by the accused. During the course of investigation, the police found that accused Sunil Chopra, Mukesh, Ankit Kumar Kashyap (petitioner) and Gagandip Singh Khurana had defrauded

innocent people of an amount of about Rs.2.8 crores by holding out promises of sanction of loans.

3. Learned counsel for the petitioner has submitted that it is a case where the petitioner is nowhere named in the FIR and that even during the course of investigation, nothing has surfaced so as to show the involvement of the petitioner and in these circumstances, the petitioner deserves the concession of grant of bail.
4. Opposing the petition, learned State counsel has informed that as many as 25 bank accounts had been opened in the names of Ankit Kumar Kashyap, Sunil Chopra and Mukesh, wherein huge amounts had been deposited and had been withdrawn shortly after deposit, which would clearly reflect on the *modus operandi* of the accused. It has further been submitted that out of the 25 bank accounts found to have been opened in the name of accused, several were in the name of the petitioner and since huge amounts had been deposited in the same and had been withdrawn, the complicity of the petitioner is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last 1 year, 6 months and 2 days and otherwise is not involved in any other case. It has also been informed that none out of the cited 20 PWs has been examined till date. It has also been informed that identically situated co-accused namely Sunil Chopra and Gagandip Singh Khurana have already been granted regular bail and anticipatory bail, respectively vide orders dated 27.10.2022 passed in CRM-M-35884-2022 and CRM-M-35286-2022.
5. Without commenting anything as regards merits of the case but while noticing that the petitioner has been behind bars for a substantial period of 1

year, 6 months and 2 days and that conclusion of trial is likely to consume time as none out of the cited 20 PWs has been examined so far and also that identically situated co-accused namely Sunil Chopra and Gagandip Singh Khurana have already been granted regular bail and anticipatory bail, respectively vide orders dated 27.10.2022 passed in CRM-M-35884-2022 and CRM-M-35286-2022, the petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7.8.2023

Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No