

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M No.48161 of 2023 (O&M)  
DATE OF DECISION: 22<sup>nd</sup> SEPTEMBER, 2023

**Shubham Verma**

.... Petitioner

Versus

**State of Punjab**

.... Respondent

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Kartik Gupta, Advocate  
for the petitioner.

\* \* \* \*

**RAJBIR SEHRAWAT, J. (Oral)**

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.73 dated 12.04.2023 registered under Sections 406, 420 and 120-B IPC at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally false. The petitioner is not involved in the crime as alleged against him. Even as per the case of the complainant, an amount of Rs.70.00 Lakhs is stated to have been paid to another firm, named, M/s Jai Radha Swami Steels. However, the petitioner has no concern with the said firm. The said firm is run by another person, named, Sahil Verma, as his exclusive proprietorship. The name of the petitioner has been dragged in the case only because the father of the petitioner is to recover an amount of Rs.1,80,757/- from the

complainant and when the father of the petitioner demanded that money, the complainant has roped the petitioner and his entire family in the case. Earlier, a complaint for the same alleged offence was filed at Panchkula, as well. However, the said complaint was withdrawn by the complainant. In the said complaint, the complainant had not shown the petitioner to the proprietor of M/s Jai Radha Swami Steels, in whose account the money has gone. In fact, earlier the petitioner was picked up by the Gobindgarh Police in collusion with the complainant, and then certain documents were got signed forcibly by the police to thrust the liabilities upon the petitioner. The entire matter is of civil nature. The petitioner is ready to join the investigation as and when called by the Investigating Officer. Therefore, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the respondent/State and Mr. Ashok Paul Batra, Advocate, puts in appearance on behalf of the complainant.

5. Learned State counsel, being instructed by ASI Harminder Singh, and being assisted by learned counsel for the complainant has submitted that the money has gone from the account of the complainant in the account of M/s Jai Radha Swami Steels. The petitioner is running the business in coordination and in cooperation of M/s Jai Radha Swami Steels itself. The complainant has also produced some social media communications, in which the petitioner is acknowledging the money received by M/s Jai Radha Swami Steels. Therefore, the petitioner cannot separate himself from the liabilities of M/s Jai Radha Swami Steels only for the purpose of avoiding criminal liability. In fact, the entire family of

the petitioner has been in business, though by creating different fictitious entities; but running the business jointly. Even the story of the Gobindgarh Police picking up the petitioner is totally incorrect. In fact, on receipt of complaint from the complainant, the police had conducted a raid to arrest the petitioner. However, the petitioner was not found at his residence. Therefore, the petitioner has never been in custody of the police so far.

6. In view of the facts and circumstances available on record, as well as, the submissions made by learned counsel for the State and complainant, this Court does not find it appropriate to interfere in the matter so as to protect the petitioner against his arrest.

7. Dismissed.

**22<sup>nd</sup> SEPTEMBER, 2023**  
*'sandeep'*

**(RAJBIR SEHRAWAT)**  
**JUDGE**

*Whether speaking/reasoned:*

*Yes*

*No*

*Whether Reportable:*

*Yes*

*No*