

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

CRM-M No.61011 of 2023

Date of decision: 7th December, 2023

Mahesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.K. Saini & Mr. Raj Kumar, Advocates
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.188 dated 01.03.2022 under Sections 406, 420, 120-B, 506 of the IPC registered at Police Station City Karnal, District Karnal. This is the third petition filed by the petitioner.

2. Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the case at hand along with the co-accused for allegedly cheating the complainant and others to the tune of ₹9,67,400/- by luring them to invest their money in Hi-Tech Infra Developers Ltd. He submits that the false implication of the petitioner in the case at hand finds credence from the fact that neither was he an agent nor an employee much less a beneficiary of the aforementioned Company. It has also been submitted that it is a matter of record that no money had ever been received by the petitioner. He, still further, submits

that the petitioner himself is a victim of fraud as he had invested more than ₹ 24.00 lacs with the Company, and had even filed a complaint in the said regard. It has been, thus, submitted that the custodial interrogation of the petitioner would not be required and would also serve no useful purpose, as no recovery is to be effected from him.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. Prima facie, a perusal of the allegations levelled in the FIR reveals that the petitioner along with the co-accused duped the complainant in the sum of more than ₹ 9,67,400/-. Specific allegations have been levelled against the petitioner of having cheated the complainant and others, who belonged to the lower strata of the society and were residing in the slums, by luring them to invest money on the pretext that the amount so invested by them would be doubled.

5. In view of the allegations levelled, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner. The 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

December 7, 2023

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No