

S. No.102

2024:PHHC:056610

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

CRM-M-20250 of 2024

Date of Decision:25.04.2024

Sushil Kumar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Dinesh Kumar Dakoria, Advocate
for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.154 dated 21.03.2024 registered under Sections 406, 420, 506, 120-B IPC at Police Station Gharaunda, District Karnal.

FIR was lodged on the complaint of Sajra wife of Jabir Singh, resident of Village Kohand, Tehsil Gharaunda, District Karnal, as per which on the asking of a lady, namely, Ashu, she (complainant) was allured to invest money in the share market through Sushil Kumar (petitioner), who assured to get the amount doubled. Complainant invested her entire savings of ₹6,50,000/-. The other women of the village also invested money. However, despite lapse of two years, no money was returned to the complainant. It was further alleged that now both the culprits Ashu and Sushil Kumar (petitioner) have got married and run away.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that petitioner had initially joined the investigation as per directions of the learned District and Sessions Judge, Karnal and had co-operated

therein. His signatures were also obtained on blank papers. However, later on the learned Additional Sessions Judge, Karnal had dismissed the anticipatory bail application on 08.04.2024. Learned counsel further contends that custodial interrogation of the petitioner is not required as the case is dependant upon the documentary evidence and that he is still ready to join the investigation.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent- State.

Learned State Counsel has drawn attention towards the order dated 08.04.2024 passed by learned Additional Sessions Judge, Karnal wherein it is recorded that during investigation, statements of various ladies, namely, Shanti Devi, Munni, Raj Kumari, Ginna Devi etc., were recorded who categorically stated that the petitioner had allured them to invest money in Plusque Welfare India Foundation Private Limited, opened the pass books in the name of that Institution, assured to give the returns but no amount whatsoever was given to them. The photocopy of the passbooks, as placed on record besides copies of online transactions, bank account statements etc. pertain to the petitioner. It is further noticed that photograph of the petitioner was reflected on record on passbooks of several women revealing that he had persuaded the women to deposit the amount in the same Company and that Company had vanished from the given address and that these circumstances speak volumes that custodial interrogation of the petitioner was required to find out the persons involved in the commission of the crime, particularly Directors and other persons involved in usurping the hard earned money of the victims of the case.

After hearing both the sides and having regard to the specific attribution to the petitioner, this Court is not inclined to grant benefit of anticipatory bail to the petitioner as his custodial interrogation may be necessary to unearth the entire truth.

Dismissed.

April 25, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No