

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-40287-2024
Date of decision: 27.08.2024

BIKRAM
Versus
....Petitioner

STATE OF HARYANA
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

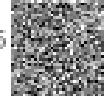
Present : Mr. T.S. Gill, Advocate (Through VC)
for the petitioner.

Mr. Rajesh Gaur, Additional A.G., Haryana.

Mr. C.S. Singhal, Advocate
for the complainant.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of his being enlarged on anticipatory bail, in case FIR No.598 dated 25.10.2023, under Sections 120-B, 420 and 460 of IPC, registered at Police Station Ambala City, District Ambala, Haryana.
2. In asking for the relief (supra), learned counsel for the petitioner submits that no amount whatsoever, has been handed over to the present petitioner, as per the allegations in the FIR (supra). Learned counsel for the petitioner further submits that he is only an employee of Rudraksh Group Overseas Solution Company, and is not a beneficiary of any cheated amount. Learned counsel for the petitioner also submits that his wife was also named as a co-accused, who had already been granted the relief of pre-arrest bail by this



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Court. Learned counsel for the petitioner in addition submits that even one other co-accused Sandeep Kalyan, who has also been given the interim relief by this Court.

3. In the present case, the prosecution agency was set into motion on a complaint made by one Ravinder Kumar, alleging therein, that accused Ashvinder @ Shaminder Singh Brar, Ashbu Kumari, Sandeep Kalyan, Suman Kumari, Bikram (present petitioner) and Rakesh Rikhi, in connivance with each other cheated the complainant, his relatives namely Sonia, and Ramandeep for an amount of Rs.19 lakh, on the pretext of sending Ramandeep and Sonia, to Canada, on work visa. However, accused has neither sent Ramandeep and Sonia to Canada, on work visa, nor returned the money.

4. The study survey of the allegations, as reflects from the FIR (supra), that it was Bikram, who entered into a written agreement, and on various occasions, the present petitioner messaged through Whatsapp, demanding the fee to be deposited in different accounts. Some times the petitioner demanded the amount to be deposited in the account of her wife, and some times in the account of different persons. From the very beginning, it was Bikram, who was involved in deception.

5. This Court has heard the learned counsel for the parties concerned, and has gone through the instant petition, and is of the view that it is a clear cut case of duping gullible persons, who are searching for better prospects abroad, and the petitioner in connivance with other co-accused,, took undue advantage of their ambitions to go abroad. The petitioner cannot take refuge being the employee of the company, *prima facie*, he played an active role in cheating the complainant,

and other two persons. So far as the issue regarding interim bail granted to the wife of the present petitioner is concerned, she was granted interim bail on account of the fact that the amount was transferred in her account, on asking of the petitioner itself, and no role is assigned to her (wife of the present petitioner). Sandeep Kalyan (co-accused) was granted bail on no objection granted by the complainant, as he has entered into a compromise with the complainant.

7. Considering the role of the present petitioner, and the seriousness of the offence, this Court is not inclined to grant the extra-ordinary relief of pre-arrest bail to the present petitioner.

8. The instant petition is **dismissed** accordingly.

27.08.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No