2024:PHHC:171573

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104 **CRM M-64529 of 2024 (O&M)**
Date of Decision: 20.12.2024

Vishal Vohra ...Petitioner

Versus

State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ivneet Singh Pabla, Advocate, for the petitioner.
Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023, with a prayer to grant concession of anticipatory bail to the petitioner in case FIR No. 451 dated 29.10.2024 under Sections 406, 420 and 120-B IPC and Sections 10 and 24 of Immigration Act registered at Police Station Gandhi Nagar, District Yamuna Nagar, Haryana.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case as the complainant alongwith her husband had invested money into trading business voluntarily, which was being run by their co-accused. Even, all the money was deposited by the complainant and her husband in the accounts of the companies and the petitioner was never the beneficiary of the money deposited/invested by the complainant and

her other family members. In fact, the parties were residents of Kurukshetra and the complainant had made a complaint at Yamuna Nagar as her husband was posted in the police at Yamuna Nagar. Learned counsel for the petitioner further submits that the entire case is based on the documentary evidence and the custodial interrogation of the petitioner was not required. Apart from that, the allegations pertaining to handing over the money in cash for sending the complainant abroad were completely vague and unbelievable. In fact, the entire story was cooked up at a later stage, just to ensure the false implication of the present petitioner.

3. On the other hand, learned counsel appearing on behalf of the State of Haryana submits that the petitioner and his co-accused had opened a fake broker house and promised the public that high returns will be given on their investment. In the present case, they had duped the complainant, her husband and their friend Navdeep Singh to the tune of Rs. 52 lacs and had cheated several other persons. All the accused had firstly open an office in the name of "Forex Academy" at Kurukshetra, where they allowed unemployed youth for seeking earnings and trained them for training. Thereafter, the accused collected the money from the general public by opening their accounts of international trading platform "MT5". The money was deposited in the account of the accused and they promised that they would invest their amount in the said international trading platform.

Again two new broker houses under the name and style of “IBell Market” and “ForexTradenest” were opened and various amounts were collected from the complainant and others. When the complainant confronted the accused, they promised that the complainant would be sent abroad by charging some money. Thus, during the course of investigation, sufficient evidence had been found regarding the transactions between the complainant, co-accused and the petitioner. Even, the custodial interrogation of the petitioner was required in the facts of the present case.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, there are specific and serious allegations against the petitioner that he alongwith his co-accused cheated the complainant and her husband to the tune of Rs. 52 lacs. During the course of investigation, the police had been able to collect the evidence pertaining to various transactions between the complainant side and the accused as well as between different accused, including the petitioner. Still further, the police also collected the evidence including the photographs to show that the petitioner was running the firm “Forex Academy” with his co-accused. Even, the petitioner was specifically named in the FIR and the allegations against him were quite serious. This Court also agrees with the findings recorded by the Court of Additional Sessions Judge, Yamuna

Nagar that the custodial interrogation of the petitioner was required to know as to how the broker house was made and also to know the names of the accused, who might be involved with the petitioner and his co-accused. Apart from that, the other electronic record, which would prove the involvement of the petitioner in the crime is also yet to be recovered by the police. Thus, the trial Court has correctly dismissed the anticipatory bail petition filed by the present petitioner.

6. Findings no merits, the present petition is ordered to be dismissed.

7. CRM 50606 of 2024 also stands disposed off accordingly.

20.12.2024 **(N.S.SHEKHAWAT)**
amit rana **JUDGE**

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