2025:PHHC:060554

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

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**CRM-M-7539-2025 (O&M)**
**Date of decision: May 07, 2025**

MANGALVIR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Narender Pal Bhardwaj, Advocate and
Ms. Muskan, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The instant petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.294 dated 27.07.2024 under Sections 406 and 420 of the IPC, 1860, registered at Police Station Ladwa, District Kurukshetra (Annexure P-1).

2. Learned counsel for the petitioner submits that in a magisterial trial, the petitioner has been in custody since 22.11.2024, and till date, charges have not been framed even though challan stands presented in January 2025. Learned counsel for the petitioner, while drawing the attention of this Court to the *zimni* orders, has submitted that a perusal of the same reveals that on as many as 8 dates, the case had to be adjourned by the learned trial Court for the reasons not attributable to him. It has still further been asserted that since as many as 14 prosecution witnesses have been cited by the prosecution, the possibility of the trial concluding in the near future does not arise.

3. *Per contra*, learned State counsel, on instructions, while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner, nor has he disputed the stage of trial. However, learned State counsel has reiterated the allegations levelled in the FIR, which stands reproduced hereinunder: -

> *"Sir, the applicant makes the following request that (1). That the applicant has a shop on Hinori Road in Ladwa, which is located in Ward No.6, Vikas Nagar, adjacent to the applicant's shop, Ward No.6, Vikas Nagar is located and he had visiting terms with a resident of that place namely, Kashmiri Lal for many years, due to which the applicant had developed familial relations with them. Accused No.6 Manjeet Kaur is his wife and accused No.5 Anuj, his son, also started visiting the applicant's house. (2). That accused No.4 Kashmiri Lal introduced the applicant and his father to accused No.1 Mangal Veer and his wife, accused No.2 Lata Devi and his nephew accused No.3 Sandeep Kumar and said that we all work together in Profit Mart Company and have also taken a franchise of it, which is a famous company of Pune (Maharashtra), in which we are getting 15 percent profit per month by investing money. We have invested crores of rupees of people in this work. (3). That the applicant refused to invest money to accused No.1 and 4, but somehow they convinced the applicant and assured him that you give us the money and we will take full responsibility of your money. You have nothing to do with the company. (4). That one day accused No.1 and 4 took me and my father Irshad Ali to their Ladwa office saying that we will show you the details of the money invested by people and when we went there, accused No.2, 3, 5 and 6 were already sitting there. Then all of them together lured us into talking and asked us to give them the money by taking a guarantee that the money would be safe. They showed us the papers of the Profit Mart company's franchise and also showed us the trading, transactions and mails happening on their laptops, computers and mobiles. So, falling into their trap and believing them, on 20/08/2022, the applicant gave Rs.5,00000 (five lakh rupees) and the applicant's father Irshad Ali gave Rs.5,00000 (five lakh rupees) to them, about which accused No.4 gave him a stamp paper in writing and thereafter on 08/11/2023, accused number 1 Mangal Veer made Google Pay from the applicant's mobile No.9050642266 to his mobile No.7056145472. On 08/11/2023,*

*Mangal Veer transferred Rs.5,00000 (five lakh rupees) from the applicant's SBI BANK (IFSC CODE SBIN0001760) account No.31804211781 and Rs.2,00000 (two lakh rupees) from his wife Mumtaz's BANK OF BARODA (IFSC CODE-BARBOLADWAX) account No.53500100004467 to his HDFC BANK (IFSC CODE - HDFC0000210) account No.02101910012604. On 09/11/2023, accused Nos.1 and 4 came to my shop, so I gave them Rs.20 lakh in cash, about which accused No.1 gave them a stamp paper in writing. On 12/11/2023, accused No.1 and his wife Lata took Rs.8,00000 (eight lakh rupees) in cash from our house. On 15/11/2023, Mangal Veer transferred Rs.50,000/- (fifty thousand rupees) from the applicant's wife Mumtaz's HDFC BANK (IFSC CODE- HDFC0000871) and Rs 9,50000 (nine lakh fifty thousand rupees) from his account to HDFC BANK (IFSC CODE- HDFC0000210) account No.02101910012604 on 16/11/2023. On 08/11/2023, Mangal Veer got the applicant's money transferred from his SBI BANK (IFSC CODE-SBIN0001760) account No.31804211781 to HDFC BANK (IFSC CODE- HDFC0000210) account No.02101910012604. On 25/11/2023, I went to the office of the accused and gave Rs.7,00000 (seven lakh rupees) to the accused where accused Nos.1, 3, 4 and 6 were sitting. Everyone counted and kept the money together. In this way, accused No.1 to 6 lured me and my father and grabbed a total of Rs.71 lakhs. The accused had taken this amount by promising a guaranteed profit of 15 percent. (5). That in the meantime accused Nos.1 and 4 took me with them to the office of accused No.7 to 9 in Mohali, where accused No.7 and 8 gave me full guarantee of the safety of my money and promised me that the money will be safe just like accused No.1 to 6. (6). That till date the accused have returned only about Rs. 17,00000 (seventeen lakh rupees) from the above amount and now when I ask for my money from both the accused, the accused made an excuse that accused No.1 Mangal Veer has a demat account No.73010000 of a franchise of Profit Mart Company and all our money is deposited in this account, which has been seized by the Income Tax, in which about Rs.11 crores of people like us are deposited and as soon as the fridge is removed you will get all your money along with the profit, about which the accused have also given an agreement in writing to the applicant. (7). That when the accused calculated my money, the balance amounted to Rs.82 lakh till 01/12/2023, which they had promised to pay by 31/03/2023 along with the upcoming 15% profit. (8). That accused No.1 to 6 showed us a fake franchise demat account No.73010000 of Mangal Veer, in which an amount of about 11* *crores was shown. That the accused showed us fake documents because when I investigated at my level, I found out that this money is not in their franchise demat account No.73010000 and they have prepared fake documents and shown them to mislead us, whereas our all amount has been deposited by the accused after distributing together in their respective accounts. Accused No.1 Mangal Veer has HDFC BANK (IFSC CODE - HDFC0000210) account No.0210910012604 and ICICI Bank account No.359101501039. Accused No.2 Lata Devi has HDFC BANK (IFSC CODE-HDFC0000871) account No.50100695324728, Accused No.4 Kashmiri Lal has SBI BANK (IFSC CODE- SBIN0001760) bank account No.20102400255, Accused No.3 Sandeep has HDFC BANK (IFSC CODE-HDFC 0000871) account No.50100695324945 and Accused No.5 Anuj has HDFC BANK OF BARODA (IFSC CODE BARBOLADWAX). (9). That after 31/03/2024 the accused did not give me any money and when I asked the accused for the above mentioned amount, first they kept delaying and now they are threatening me that we will not give you any money, we have grabbed all your money by fraud, if you ask for any money from us or take any action against us, then we will trap you and your family in false cases and by giving money to the criminals we will get you and your family members killed, you will not even know. (10). That the accused have cheated us by conspiring with each other and showing fake documents and grabbed all our money, which was the intention of the accused from the very first day to grab our money and now the accused are also threatening to kill us. (11). That the accused have got their passports made and they are also threatening that we will run away to Dubai with your money and you will not be able to do anything to us, therefore the passports of the accused should be deposited with the police in the police station with immediate effect so that the accused cannot run away abroad and the laptops, computers and mobiles of the accused, which they had shown to me, should also be confiscated by the police. Therefore, it is requested to you that by taking legal action against the accused, a case may be registered against them, they may be arrested and our money may be got returned and the applicant and the applicant's family members may be protected."*

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. It is undisputed that the entire case of the prosecution is based entirely on documentary evidence, which is already part of the chargesheet since presented before the learned trial Court. The trial is unlikely to conclude in the near future as 14 witnesses have been cited by the prosecution.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner.

7. Accordingly, the instant petition is allowed, and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. 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.

9. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to her.

**May 07, 2025** **(MANJARI NEHRU KAUL)**
*Jaspreet Kaur* **JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*