



CRM-M-17634-2025

-1-

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

102

CRM-M-17634-2025

Date of decision: 8th April, 2025

Vikramjit Singh Cheema

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Pawan Attri, Advocate for the petitioner.

Mr. Vipul Sherwal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 032 dated 12.02.2025 registered under Sections 406 and 420 of IPC at Police Station City Pehowa, District Kurukshetra.

2. The aforementioned FIR was registered on the basis of a complaint lodged by the complainant Jatin Gupta alleging therein that accused Dr. Vikramjit Singh son of Gyan Singh, who was acquainted with him from quite some time, had disclosed to him that he was working at a high post with one Bitfix Company at Pehowa and the said company was giving huge profits from the investments made by the public persons. He induced the complainant to invest money in the above said company by representing that he would be getting double amount in twenty-five months.



He also allured the complainant by saying that the investors of higher amount of money would be getting expensive gifts like cars, motorcycles, gold chain etc. by the company. He also assured to bear responsibility for the investment. Accused Vikramjit Singh then induced the complainant with co-accused Aditya Behl and both of them, convinced his brother Ghanshyam and himself to invest money with the company by saying that they would give 5% interest on the invested amount. The complainant was then introduced with the present petitioner, co-accused Rajesh Thakur and Gurbir Singh (who was introduced as Managing Director of the Company) and they also assured double returns of the investments made by the complainant. On being induced by all of them, the complainant initially invested an amount of Rs. 37,500/- and subsequently, different amounts of money totaling a sum of Rs. 18,37,500/- were invested by him. Even his brother also invested money with them. The co-accused even gave rewards to the investors of bigger amount of money and even the petitioner had received a car in reward from the company.

3. As per the further allegations, the complainant was made to deposit more amount of money in the month of February, 2024 but in March, 2024, they stopped receiving any commission. The petitioner and co-accused lingered on with the matter for several months and then the complainant was extended threat of life, if he raised demand of money. After registration of FIR, investigation proceedings have been initiated. Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Kurukshetra, which was dismissed vide order dated 10.03.2025.



4. It is argued by learned counsel for the petitioner that he was neither the owner nor Manager or employee of the Bitfix Company and had no concern with the same. The above company was run by Vikramjit Singh S/o Gyan Singh, Gurbaj Singh and Sohan Lal and these persons had committed fraud not only with public persons but with him as well, as he had invested an amount of Rs. 7,00,000/- with the company that had not been returned. It is argued that the complainant himself worked as a team member in the company and had received awards. He had never induced the complainant to invest money in the company nor he had any occasion to do so. Being a victim himself, he had filed a complaint against the company and its responsible persons, which is pending before the court of Jurisdictional Magistrate. The allegations in the FIR do not make out any case for commission of offence of cheating or criminal breach of trust on the face of record as against the petitioner since no money has been entrusted to him, therefore, question of recovery thereof, from him also does not arise. He is ready to join the investigation. His custodial interrogation is not required. Accordingly, it is urged that he deserves to be extended benefit of pre-arrest bail.

5. Learned Assistant Advocate General, Haryana, has advance notice of the petition and is ready to argue the matter. He has placed on record a copy of agreement claimed to have been executed by the petitioner in favour of the complainant on 09.05.2024 and has argued that the petitioner had undertaken to return an amount of Rs. 13,50,000/- invested by the complainant back to him by executing this document. It is argued that execution of this document which is in the nature of an agreement itself



prima facie shows that the petitioner had played a part in inducing the complainant to invest the money with Bitfix Company with dishonest intention and by not returning the said money, the complainant has been cheated. It is argued that that for effecting recovery of the aforementioned amount of money belonging to the complainant as well as for conducting proper investigation in the matter, custodial interrogation of the petitioner is must. Accordingly, it is urged that the petition does not deserve to be allowed.

6. Rival contentions raised by both sides have been considered.

7. The version of the prosecution is that the complainant had been initially induced by Dr. Vikramjit Singh to invest money with the Bitfix Company and he had introduced the present petitioner, Gurbir Singh, Managing Director of the Company and when Rajesh Thakur with the complainant, who had allured the complainant to invest money with the company and to receive double profits. There are allegations against the present petitioner are that he had joined the complainant in a *Whatsapp* group with the name of 'Apni Bitfix' and on asking of the petitioner and co-accused, he had been depositing money with the company. He had even deposited a sum of Rs. 2,00,000/- in the account of the present petitioner besides giving different amounts of money to other accused. The allegations in the FIR *prima facie* make out a case of commission of offence of cheating by the petitioner with the complainant. For conducting thorough and proper investigation in the matter, the custodial interrogation of the petitioner is required. It is also well settled that the Court must be circumspect while exercising power for grant of anticipatory bail and it should not be granted



as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th April, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No