2025:PHHC:126414

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

207 **CRM-M-19724-2025
Decided on:09.09.2025**

Dharamvir Singh **...Petitioner**

Versus

State of Haryana **...Respondent**

207(1) **CRM-M-24393-2025
Decided on:09.09.2025**

Satish Kumar **...Petitioner**

Versus

State of Haryana **...Respondent**

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Mr. Aditya Verma, Advocate,
for the petitioner(s).

Ms. Diya Sodhi, Sr. DAG, Haryana.

Mr. Nitin Sharma, Advocate,
for the complainant.

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Rajesh Bhardwaj, J.

1. By way of this common order, two petitions bearing CRM-M-19724-2025 and CRM-M-24393-2025 are being disposed of as prayer in both the petitions, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioners in a common case FIR No.262 dated 02.07.2024, registered under Sections 316(2) & 318(4) of the BNS, 2023 at Police Station Mahesh Nagar Ambala, District Ambala. However, for the sake of convenience, the facts are being extracted from CRM-M-19724-2025.

2. Succinctly, the facts of the case are that the present FIR was registered on the complaint of Rakesh Saini and others, in which it was alleged that they have fallen victims to a cyber fraud committed with them by the company, namely, "Stake it" owned by Sehdev Singh which he started in the

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year 2021 with some of his relatives and friends, namely, Puneet Dhiman, **Satish Kashyap, Dharamvir Rana,** Chirag Ahuja, Rajinder Kumar, Puneet Ahuja, Tarun Sahi, Raj Kumar Rana, Madan Pal Singh, Harpreet Pal Singh, Sanjeev Rana, Siraj Ahmed, Amandeep Singh, Abhishek, Sanjeev Sharma, Paramjeet Singh and Amit. It was alleged that all the above mentioned persons, under the influence of Sehdev Singh, collected money from hundreds of people throughout the country and, thereafter, cheated them by dishonestly inducing them to deposit their money in their company. The complainants and other similarly situated victims invested their hard earned money on the guarantee given by these persons for the return of their amount with handsome profit. The network of this company grew very fast in which 5000 to 7000 people from Haryana, Punjab, Himachal, Rajasthan, Uttar Pradesh and Uttrakhand joined and invested a huge amount running into Rs.500 Crores throughout India. Some of the persons invested their money even by mortgaging their jewellery and properties. Various conferences were held by these people under the leadership of Sehdev Singh and investors were invited to attend the same. Some of the investors were given lucrative gifts and they were allured by adopting various methods and they invested the money of their retirement and pension etc. as well. The complainants and other victims found themselves to have been cheated as they were duped with the heavy amount. It was told to them that owner of the company Sehdev Singh left India and has already fled to Dubai along with his family members. The petitioners were alleged to be the main accused, who were part of the conspiracy in alluring the innocent investors. Finding no other alternative, the complainants filed the complaint to take legal action against all the accused responsible for cheating the innocent investors. On registration of the FIR, the investigation commenced. Apprehending arrest, the petitioners approached the Court of learned Additional Sessions Judge, Ambala, for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to them vide orders dated 26.03.2025 and 25.04.2025 respectively. Hence, aggrieved against the said orders, the petitioners are before this Court by way of filing the present petitions.

3. Learned counsel for the petitioners has vehemently contended that the petitioners have been falsely and frivolously implicated in the present case. It is submitted that the petitioners themselves are the victims as they have also invested their money in the company and from the allegations made in the FIR, it is apparent that the complainants and other alleged victims have invested their money only in the company and not with the petitioners. The Director of the company had already fled to Dubai and neither the petitioners have received any money from the complainants nor they are the beneficiaries. Thus, there being no *prima facie* case made out against the petitioners, they deserve to be granted concession of anticipatory bail.

4. *Per contra,* learned State counsel has vehemently opposed the bail application and drawn attention of this Court to the status report filed by way of affidavit of Deepak Saharan, IPS, Superintendent of Police, Cyber Crime, Haryana, Panchkula. It is alleged that during investigation, it has been found that the company floated by the accused persons used to organize leadership development programme and they used to entice people to invest in their company through USD in lieu of the guaranteed profits/dividends around 6% per month and 73% per annum. Sometimes these leadership programs were used to be held in foreign countries. She has submitted that during investigation, it has been found that the petitioners assisted the main accused by becoming part of the organizing team for organizing the leadership development programs even abroad. They along with other accomplices used

to allure the innocent people by showing them their awards from the company and prompted them to invest their hard earned money in the company. It is submitted that there are specific allegations against the petitioners that they had allured the complainants Rakesh Saini, Akhil Sharma and Vipin Chauhan by showing that they were earning lacs of rupees from this company. It is submitted that both the petitioners were close associates to the main accused Sehdev Singh and had allured the complainants and others in conspiracy with Sehdev Singh. She submitted that the case is under investigation and the total scam runs into around 500 crore of rupees and the defrauded amount is yet to be recovered. It is further submitted that as per the allegations contained in the FIR, luxury cars, diamond ring, gold rings and silver articles were gifted by the main accused Sehdev Singh to its team leaders including the petitioners, which are yet to be recovered from them as those items were purchased from the cyber fraud money and are the case properties and, thus, custodial interrogation of the petitioners are very much necessary to unearth the mystery behind the entire scam and hence, the present petitions, being devoid of merit, deserve to be dismissed.

5. Learned counsel for the complainant has also opposed the bail application while submitting that the complainants had been allured by the petitioners with the intention to defraud them and they had parted with their hard earned money and after having invested their money in the company, they found themselves to have been cheated and the main accused Sehdev Singh is said to have been escaped to Dubai along with his family members. Thus, it is submitted that the petitioners along with co-accused have committed a heinous crime and they do not deserve the concession of anticipatory bail.

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6. After hearing learned counsel for the parties and perusing the available record, it is deciphered that the complainants and other similarly situated victims had fallen in the trap of the company, which was owned by the co-accused Sehdev Singh. The petitioners are alleged to be the accomplices and close associates of Sehdev Singh who had allured the complainants and others and enticed various investors to deposit their money in the said company in lieu of the lucrative returns and for this purpose, they had held various conferences and leadership development programs in different parts of the country and even abroad. The petitioners were stated to be the Diamond Club Achievers and had allegedly collected the money from the complainants, however, as promised, the assured returns were not given to them and during investigation, it was found that the main accused Sehdev Singh, Director of the company had already escaped to Dubai. The alleged scam runs into 500 crore of rupees and complicity of the petitioners has been *prima facie* established. Thus, keeping in view the gravity and seriousness of the offences, the contentions raised by the learned counsel for the petitioners cannot be appreciated at this stage where they have approached this Court for the grant of concession of anticipatory bail. However, the same could be appreciated at the relevant stage.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

> ***"482. Direction for grant of bail to person apprehending arrest:***
>
> *1. When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*

> *2. When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including*
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> *(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
>
> *(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
>
> *(iii) a condition that the person shall not leave India without the previous permission of the Court;*
>
> *(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section."*

8. Hon'ble Supreme Court in State represented by **CBI Vs. Anil Sharma,** (1997) 7 SCC 187 has held as under:-

> "6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders."

9. Hon'ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632**, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioners has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioners do not qualify for exercising the extraordinary power by this Court in their favour. Resultantly, both the petitions, being devoid of any merit, are hereby dismissed.

12. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

13. A photocopy of this order be placed on the file of another connected case.

September 09, 2025 **(Rajesh Bhardwaj)**
vinod* **Judge**

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES