

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

2025:PHHC:034491



(206)

CRM-M-59170-2023

Date of Decision: 11.03.2025

Pratham Soni

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. V.K. Sharma, Advocate for petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana.

Mr. J.S. Thind, Advocate for the complainant
(through V.C.).

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 438 Cr.P.C in case FIR No.625 dated 1.11.2023 under Sections 406 and 420 IPC, registered at Police Station, Adampur, District Hisar.

Learned State counsel, on instructions, has submitted that although the petitioner has joined investigation, however, he has constantly been non-cooperative; there is enough documentary evidence to support the allegations made by the complainant as well as some other victims, who have now approached the police regarding the same allegations which find reflected in the FIR and which stand reproduced hereunder:-

“To, The Hon'ble Chief Minister, Govt. of Haryana, Public Meeting Programme. Subject:- Regarding taking action against M/s Pratham Jeweller, Mandi Adampur. It is submitted that I, Sita Ram son of Sh.Basti Ram, Caste Bishnoi is the resident of village Siswal, Tehsil Adampur, District Hisar. I belong to a poor farmer family. On 17.11.2022, I gave about 1/2 kg. of silver and few tola gold for making the gold and silver ornaments for my wife and mother, besides this, the ornaments of about 10 tolas gold was also given, so that new ornaments could be given in the marriage. Pratham Soni and his brother said that you take the ornaments on given date and the receipt of the same has also been given by Pratham Jewellers, which is enclosed. On given date, we went to collect the ornaments on their shop which was found closed. I enquired from the neighboring shopkeepers, they told that this shop is closed for the last few days, after some days I came to know that his brother has expired, Pratham Soni said that he will clear all the dues, thereafter on 09.05.2023, I went to his shop which was found closed. When inquired in the neighborhood, I came to know that Pratham Soni has left the Adampur and went to some other place and his phone was also off. In this regard on dated 09.05.2023, I lodged a complaint at police station Adampur, but till date SHO, Police Station Adampur has not taken any action on my complaint neither my amount has been returned, I am poor farmer, I arranged ornaments for marriage after taking loan on interest from some other person. I request you to get the ornaments or amount returned whichever is possible, so that I may be able to return borrowed. Sd/- Sita Ram Applicant s/o Basti Ram Bishnoi, village Shiswal, Tehsil Adampur, Hisar. Mobile No. 9416970929.”

Learned counsel for the petitioner, however, has refuted the instructions received by learned State counsel. It has been submitted that the victim has not even named the petitioner and hence there was

no occasion for him to have cheated the complainant and other victims of their money totalling about Rs.60 lacs.

Learned State counsel has, however, reiterated the instructions received and submitted that in view of the serious and specific allegations levelled against the petitioner including certain receipts signed by him given to the police by the complainant and other victims, his custodial interrogation is necessitated.

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

Prima facie, there are direct allegations against the petitioner of having lured innocent persons to the tune of lacs of rupees and thereafter having cheated them of their money on the pretext that the entire transaction had taken place between them and his deceased brother.

In view of the above findings, instant petition is, dismissed. 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.

(MANJARI NEHRU KAUL)
JUDGE

11.03.2025

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