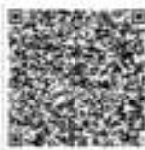


2026:PHHC:073572



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SR. NO.242

CRM-M-25203-2026

DATE OF DECISION:11.05.2026

KAMAL KISHORE LOHIA

...PETITIONER(S)

VERSUS

STATE OF HARYANA

...RESPONDENT(S)

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

Present: Mr. S.K. Agnihotri, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 482 of the BNSS, 2023 with a prayer to grant pre-arrest bail in case FIR No.22 dated 08.02.2026 registered under Sections 318(4)/61(2) of the BNS, 2023 at Police Station Bahu Akarpur, Rohtak (Haryana).

2. The FIR in the present case was registered on the basis of a statement made by Sandeep Kumar and three others and the same has been reproduced below:-

“Respected Sir, on date 07.02.2026 one complaint numbered 1727-PESI dated 20.11.2025 was received in the office of Supdt. of Police Rohtak for registration of case, contents of which are under:-

Subject: Fraud by the ZOOKY Company

Respected Sir, I request you that my name is Sandeep Kumar

son of Azad Singh resident of Singpura Kalan and have retired in 2021 from Indian Army rank Sepoy. I was working in Kotak Life Insurance and one colleague by the name of Ashok resident of Farukhnagar (8818089606) was also working with us in the same company. One day we 3-4 people were taking tea in a tea shop at that time Ashok brought one person with him namely Krishan alias Kude Ram who is the resident of Dhaud and he told that his company gets the amount doubled by investing it in clothes and food whose owner is K K Lohiya who is retired from Air Force. You can invest the amount in company and get the amount doubled. I started with an investment of sum of Rs.5,000/- and my colleagues from Kotak Bank who were sitting with me also started the investment with the same amount of Rs. 5,000/- and Ram Kumar s/o Amar Singh r/o Rohtak, Sumit s/o Naresh r/o Baland and Rajkumar s/o Menhar Singh r/o Kheri Sadh were present there. After that Krishan met again and discussed to invest again and also to increase the amounts and till today I, Sandeep have invested total amount of Rs. 17,00,000/-, Ram Kumar Rs.7,00,000/-, Sumit Rs.8,00,000/- and Raj Kumar invested Rs.7,00,000/- and we have received amount back also and now the outstanding amounts are for Sumit Rs. 3,00,000/-, Ram Kumar Rs. 3,25,000/-, Rajkumar Rs. 3,50,000/- and my amount is Rs. 7,00,000/- is outstanding. Krishan alias Kuderam had duped the said amounts with the intention of fraud. Now we came to know that against him a case has been filed in Bhiwani (Sadar). It is requested to initiate an action against Krishan and his aides and impart justice upon us and shall be grateful to you. Dated 21.11.2025

Sd.1 Sandeep Kumar s/o Azad Singh Singhpura Kalan (9467599394), Sd.2 Sumit s/o Naresh Kumar r/o Baland (9992831589), Sd.3 Rajkumar s/o Mir Singh r/o Khedisadh (9728485770), Sd.4 Ramkumar s/o Amar Singh r/o Vishal Nagar Rohtak(9817108717).

3. Learned counsel for the petitioner submitted that the petitioner had no concern with the ownership, management and business operations of the “Zooky Group of Companies” or its associated entities. In fact, Krishna @ Kude Ram was the mastermind and had unauthorisedly misused the name and photographs in promotional materials and petitioner was wrongly projected as founder/owner of “Zooky Group of Companies”, without his consent. He further submitted that the petitioner had simply attended four seminars as a chief guest and was never involved in the crime, as alleged. Apart from that, Krishna @ Kude Ram had surrendered and has already been granted the concession of regular bail by the court of the magistrate vide order dated 18.04.2026 (Annexure P-2). Learned counsel further submitted that the entire prosecution case is based on documentary evidence and the evidence in this regard has already been collected by the police. Thus, the custody of the petitioner would not serve any purpose. Learned counsel next submitted that when the petitioner came to know about the fraud committed by his co-accused, he immediately got an affidavit notarized on 6.12.2025 and publicly declared that he had no concern with his co-accused.

4. On the other hand, a detailed reply has been filed by way of affidavit dated 09.05.2026 of Sh. Tanuj Sharma, HPS, Deputy Superintendent of Police, Meham, District Rohtak and the same has been taken on record.

5. Learned State counsel submitted that in the present case, the investigation was conducted by Economic Offences Branch, Rohtak Police, and it was found that on the pretext of investing in clothes and fast food

Sandeep Kumar and other investors with the promise of doubling the invested amount within a period of 33 months or returning the equivalent in goods. However, the investors were cheated by the petitioner and his co-accused. Learned State counsel further submitted that the specific role of the petitioner is that he is the Managing Director of Zooky Company and also promoted the company. He presided over the programmes of Zooky Company, displayed his photos in BSF uniform to impress people and committed fraud with several persons by promising them to double their invested amount in a short period. Still further, it was also found that even he had played an active role and thus, his custodial interrogation is required to recover various documentary evidence regarding Zooky Company and also to recover the amount invested by innocent victims. Even the other relevant records of the company are also yet to be recovered from him.

6. I have heard counsel for the parties and perused the record.

7. As per the investigation conducted so far, it has been found that the petitioner is the Managing Director of Zooky Company and was also the promoter of the company. It is also apparent that in all the meetings and programmes of Zooky Company, the petitioner was present and he had also promoted the company. Apart from that, he had personally assured several victims that the money invested by them would be doubled in 33 months and they would get good returns. However, the petitioner and his co-accused had cheated several innocent investors by committing fraud with them. Thus, the custodial interrogation of the petitioner would be required to recover the record of the company as well as the amount cheated by the petitioner and his co-accused.

8. Keeping in view the facts and circumstances of the case as noted above, the petitioner is not entitled to the concession of pre-arrest bail in the present case and accordingly, the present petition stands dismissed, being devoid of any merits.

9. However, it is made clear that the above observations have been made only for the limited purpose of disposal of the present petition, which shall not be construed as an expression of opinion on the merits of the case.

11.05.2026
mks

(N.S.SHEKHAWAT)
JUDGE

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