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

CRM-M-60311-2024
Reserved on: 15.01.2025.
Pronounced on: 17.01.2025

Dalbir Singh ...Petitioner

Versus

State of Haryana …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gobind Dhanda, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Vijay Pal, Advocate and
Mr. Akash Lather, Advocate
for the complainant.

****

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
514	22.08.2024	City Hansi, District Hisar	406 & 420 IPC

1. The petitioner and the main accused, Venkat Raman Murti, his son-in-law Manbir Singh, who is an Inspector in Haryana police, and others, demanded Rs. 100 Crore (INR One Billion) to appoint Surender Malik as Governor of Andaman and Nicobar and as per the deal, out of Rs. 100 crores, 30 crores had to be paid in advance, and the accused had received Rs. 10 crores 45 lacs (INR 104.5 million), out of which Rs. one Crore (INR 10 million) were received by the petitioner in his account, thus, apprehending arrest in the FIR captioned above, after the rejection of his anticipatory bail by the Sessions Court, Hisar, has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 11 of the bail petition, the accused declares that he has no criminal antecedents.

3. The facts and allegations are being taken from the Annexure R-4, which is part of the reply filed by the complainat, which reads as follows:

> *"I hope this letter finds you in good health. I, Dushyant Malik S/O Late Sh. Surender Malik R/O House no 1528 Advocate Colony, Hansi (Distt. Hisar), Haryana, am writing to bring to your kind attention to a matter of utmost concern involving a high-level fraud conducted in name of PMO office, Sh.*

PK Mishra (Principle Secretary to PM of India), Sh. Kapil Dev Tripathi (Secretary to the President of India) and another prominent BJP leaders, for appointing my father as the Lt. Governor of Andaman and Nicobar. My father Sh. Surrender Malik S/O Sh. Ajit Singh Malik was a businessman with multiple businesses and was involved in many social activities in the state of haryana. My father was approached by Manvir Singh, Venkata Raman Murti on the pretext of appointing him as Lt. Governor of Andaman and Nicobar in year 2020 and it was claimed by them that the whole deal to be conducted by keeping Sh. PK Mishra PMO and President office Secretary in loop.

My father Sh. Surender Malik was targeted in 2020 by one Manvir Singh R/O VPO Talu, Distt. Bhiwani Haryana ph.No. 94670xxxxx (Bank Account no 20461010xxxxx IFSC CNRB0002046, Canara Bank) who is an inspector in Haryana Police currently posted in Karnal (naval training academy), he came to my father pleading that he needs some money for urgent emergency needs, and my father on Humanitarian grounds lend him money. Firstly, he borrowed Rs. 1 lakh and after some time he sent his nephew named Sunil Kumar S/O Jaivir Singh R/O VPO Kunwari Distt Hisar Haryana (Bank Account no.02030001086xxxxx IFSC PUNB0020300 Punjab National Bank) at our residence in HANSI and my father gave him Rs. 5 Lakh. For security of the money lended to them, Manvir Singh and Sunil Kumar assured my father by giving a blank Cheque of his nephew's sunil kumar bank account, which is in my possession (please find the photo Attached herewith of Blank Cheque).

After some time, they again approached my father for some more money citing some emergency reasons and Rs. 6 lakh was again lended by my father to them. After some time when my father was in need of money, my father asked Manvir Singh to return the money lended to him. Manvir Singh devised a plan to avoid repaying the advanced money and he told my father that he has some links in RSS and BJP which he can use to appoint my father Sh. Surender Malik as Chairman in a Central Ministry. Then he introduced my father to his accomplice named Venkata Raman Murti R/O House no 65, North Avenue, New Delhi 110001 ph.no. 99584xxxxx alias Vk Murti, (photo of him, is attached herewith) who then told my father that he can make him the governor of UT of Andaman & Nicobar by using his connections in RSS and BJP. He also told my father that he have great connections in PMO office and he also has close links with the principal secretary to PM of India, Sh. PK Mishra and Secretary to President Sh. Kapil Dev Tripathi. He also claimed to have served with NSA Sh. Ajit Doval. Furthermore, he asked for Rs. 100 Cr for this appointment as Lt. Governor of Andaman and Nicobar, *and the payment should be made partially, divided as: 30 crores rupees as an advance and 70 crores Rupees after appointment as Lt Governor. My father being a simpleton was convinced by Venkat Murti when he told him about his such high reach in senior level bureaucracy especially in PMO and President office and his assurance of meetings with Sh. PK Mishra and Secretary to President Sh. Kapil Dev Tripathi. He also showed pictures of him with Sh. Satpal Maharaj (national Executive member of BJP and currently Tourism Minister of Uttarakhand) (the photo Venkat Murti with Satpal Maharaj is attached herewith), he told my father that he is very close to him and is doing some work for him of similar nature.*

Venkat Murti and Manvir Singh influenced my father by showing picture of Venkat Murti with many BJP leaders and ministers and asked my father that the appointment process will only begin if he will give advance money to them. They told him the money will be transferred to BJP Party fund and to other concerned people to consider his name for the appointment. My father fell victim to their persuasive tactics, believing that these were legitimate transactions and made payment which are mentioned below.

Date	Company	Account Number	IFSC Code	Amount	UTR/Ref Number
X	X	X	X	X	X
14/9/2020	Dalbir Singh (Father-in-law of Manvir Singh)	2368101xxxxx	CNRB0002368	1,00,00,000.00 (One crore)	BARB202009140258759937
18/12/2020	M/S Mahadev Traders	6956056xxxxx	ICIC0006956	50,00,000.00 (Fifty Lakh)	BARB202012180353910728
18/12/2020	M/S Mahadev Traders	6956056xxxxx	ICIC0006956	50,00,000.00 (Fifty Lakh)	BARB202012180353910183
X	X	X	X	X	X

All the above-mentioned payments of 8.45 crores were made on the assurance that these are legitimately being done in name of party fund of Bhartiya Janta Party as told by Venkata Raman Murti and Manvir Singh and others.

During the period when the above transactions were made all the below mentioned people namely

1. Dalbir Singh (R/O VPO village ghigsana gharaunda Panipat) was introduced as Father in Law of Manvir Singh.

2. Mrs. Seema W/O Manvir Singh

3. Sunil Kumar S/O Jaivir Singh R/O VPO Kunwari Distt Hisar Haryana

4. Partners/Directors of M/s Sunny Sales Corporation

5. Partners/Directors of M/S Rolex Trading Corporation

6. Partners/Directors of M/S Mahadev Traders

There is a very high possiblity that all these above-mentioned people have met with my father, and it is to my belief that they all are actively involved in this fraudulent act of duping my father of 11cr. I request you please look in all these transactions. There is a great possibility that they have a huge nexus working behind the scene as well, which I am not aware of as of now. After few of the early payments, Manvir Singh has also came to our residence in hansi Haryana with some fruits, flowers, sweets in my presence, claiming that the process has started and soon my father will be appointed as the Lt. Governor and then he also demanded more money citing that he is in urgent need of money to speed up the process and had also told stories that they are in talks with many top leaders of BJP and they have agreed on your name and the process will start soon. After all these payments were made, they asked my father to wait citing reasons as the pandemic was going on and these appointments took time to process. They further approached my father to make some cash payments which they told be given to people concerned with the appointment process to fast track the process and cash payments of Rs. 2,00,00,000.00 (Two Crore rupees) was also forwarded to them after my father borrowed it. They kept on pressurizing my father of further payments to complete the amount of 30 crore as an advance and asked him to make more payments in cash for which my father told them he had no money left to pay them, but they kept pressurizing my father saying that if he cannot give money his process will get stalled down and he should be prompt in making payments. When no payments were made, they devised another plan and asked my father to come visit their office(the location of this is unknown). On visiting their office, they showed piles of cash of 2000 denomination notes amounting to multiple crores of rupees (the photos are attached herewith) and told my father that if he can give them 1 crore rupees they can earn him handsome returns and told him that he can use it for payments to complete his appointment process. Then after much persuasions Manvir Singh also took *my father to some man named Kamaludin Khan in Delhi saying he is a trader, and he helps them generating huge returns and the example of such returns are those piles of cash they have shown my father in their office which they use to give as returns to those who have already invested with them. Manvir Singh and Venkat murti persuaded my father to a great extent and after giving surety in terms of Blank Cheques by Manvir Singh and his wife Seema (the copy of blank Cheques of Manvir Singh and his wife Seema are attached herewith), my father arranged the amount of Rs 40 lakh and gave it to Kamaluddin Khan. When after some time when my father asked Manvir Singh and Venkat Murti for the returns they had promised, they said that it didn't work out the way they planned but they will surely generate returns and pay back the money which made him suspicious of fraud they have devised against my father.*

After several months of 2021 passed, they kept assuring that they are working on generating returns stating numerous fraudulent excuses citing the pandemic is going and what not. Numerous requests for further payments were simultaneously made by Venkat Murti and Manvir Singh to pressurize my father stating to keep the appointment process smooth he must make payments, which was then denied by my father and he told them that no payments will be made until any concrete official proceedings for his appointment will be shown. Seeing all their attempts failed, they then told my father that the interview for the appointment has been fixed with the PMO head, the Principal secretary to PM of India, Mr. PK Mishra, on 13.01.2022 at 16:00hrs through online Video Conferencing via ZOOM app and several message of confirmation of online interview meeting and zoom video meeting call details has been shared by Venkat murti through whatsapp app (the screen shot of confirmation of meeting and meeting links are attached herewith) but later it was cancelled stating the reason that "some UP state election matter has come up" (the screenshot of the chat is attached herewith) and no meeting is possible as of now and another meeting on 03.02.2022 was scheduled which was also later on cancelled stating that "malik ji meeting aaj mushkil ho payega kyunki PMO office mein Mishra sir nhi hai" (that meeting is cancelled as Mishra Sir is not available in PMO) (the screenshot of the chat is attached herewith).

After that they told my father that now they have arranged a meeting with the Secretary to president of India Mr. Kapil Dev Tripathi on 11.02.2022 at 14:30 hrs at Room no. 9 at Rastrapathi Bhawan, New Delhi. A message confirming the same has been forwarded by Venkat murti and asked my father to prepare for the meeting (the screenshot of the same has been attached herewith) but this meeting was also cancelled and it was told that *meeting is postponed to 14.03.2022 but no meeting was held on 14.03.2022 citing some reasons (the screenshot of the same has been attached herewith).*

Afterwards many more such meetings were promised by Venkat murti, Manvir Singh and others and then another meeting was scheduled on 08.03.2022 at 12:30hrs which was cancelled later on stating the reason that "everybody has flown to Gujrat" and meeting will now held on 14.03.2022 which also got cancelled later (the screenshot of the same has been attached herewith in 10 already). After these cancellations my father started pressurizing these people about the promised appointment and then they started fabricating stories by saying that the PM sir is outside of INDIA and whenever he will be back only then the process will start.

After few days Venkat Raman Murti and others promised to take my father to meet the principal secretary Sh P.K Mishra ji to assure him of the appointment and my father was asked to meet at Hotel Imperial on 29.06.2022 at 16:30 hrs and where they further made promises to assure him that his appointment as Lt. Governer is in last phase of completion and asked him to wait for some time ans assured him of some concrete proceedings of the process by 14.07.2022. My father waited but no satisfactory response was given by them on the promised dates and new dates were given. After that they kept calling my father for meetings, some of these meetings were held at Hotel claridges new delhi, at their office- 65 north avenue new delhi and they also visited my father at Gurgaon as well (the photo of Car used by Venkat Murthi bearing registration number DL-1CT-5127 of of Ce Hyundai Creta SX of white color and his residence cum office is attached herewith). They booked a hotel room in my father's name at Hotel Royal Plaza CP, Delhi as well (screenshot of the same with booking id has been attached herewith).

During these meetings they kept deceiving my father by doing video conferencing stating that these are various stages of interviews mandatory for the appointment, and he should not disclose the process for appointment in public as it can hamper the proceedings and they told him that several other people are also interested in becoming the Lt. Governor and all this process should happen in secrecy until it was announced officially by the PMO. They conducted many video conferences with several people which they claimed as high-level bureaucrats and one such video conferencing was also done claiming the person on online video call to be Sh. PK Mishra. They have also arranged accommodation for my father at Assam Bhawan for 4 days as well where several more online meetings were done on the laptops brought by Manvir Singh and Venkat murti. They orchestrated all *this fraud so sophisticatedly that it seemed like a legitimate process for the appointment of Lt. governor. After that they told my father of meetings being scheduled with Sh. P K Mishra at "PMO office" as soon as he is available and then they finally told him to visit the PMO to meet Sh. PK Mishra. The exact dates are unknown to me, but it is around Nov Dec 2022 when he visited PMO. Please find his entries in the visitor log data. He was accompanied by Venkat Murti in the PMO. The car he drove to PMO has registration number HR-21N-5290 of make Mahindra Alturus G4 of Black Color.*

On visiting the PMO he was introduced to a person named Om Prakash Singh by Venkat Murti as a close aide of Sh. P K Mishra. It has also come to my knowledge that he was again called at PMO on the pretext of Interview for Lt Governer and meetings with Sh. PK Mishra.

All this was going on for 2 years and when no concrete official communication was made after 2 years had passed, my father was sure that these people have defrauded him and then he started demanding his money back as he had to return back the money he borrowed. After so many requests neither any appointment was made, nor his money was paid back by Manvir Singh, Venkat Raman Murti and others. With every passing day my father came under huge mental pressure by harassment and torture at the hands of these accused people. And as a result of this my father became sick, and which ultimately led to his untimely death on 09/06/2023.

My father kept on asking for his money back and they kept on duping him stating that they will give it in a day or 2 days, but they never returned the money and they also threatened my father of dire consequences if he keep on pressurizing them for money. Fearing of this my father also wrote an affidavit in Feb 2023 stating that if anything happens to him, it will because of these fraudsters especially Manvir singh and Venkat Murti.

Today my father is no more with us as he got so much traumatized and ultimately fall sick because of the mental agony and stress caused by the illegal and fraudulent acts of these person especially Manvir Singh & Venkat Raman Murti who cheated him to the tune of Rs 11 crores.

We have every proof including more than 500 recordings of the conversation with all these fraudsters claiming to make him governor or to return the money. They can be heard admitting to everything I stated in this letter and as well as all the WhatsApp chats between them is also present with me. Our family has been suffering lot of agony, mental pressure and trauma and huge financial losses well because of these accused people and want that the hard-earned money of my father be returned with interest to *the family by these people and these fraudsters should be brought to justice and they should get punish for their wrong doings. They have not only caused untimely death of my father by their fraudulent activities but also have maligned the name of BJP, President of India office and the PMO. My father was a very hardworking man all the money paid to them is earned by working with dedication and all the taxes are paid to government.*

In the light of the seriousness of this matter, I humbly request your immediate attention and intervention. I urge you to initiate a thorough investigation into these fraudulent activities and take appropriate action against those responsible for orchestrating this scheme. Additionally, I beseech you to consider the possibility of recovering the misappropriated funds and returning them to us.

I understand the complexities involved in addressing such matters, and I am confident in your abilities to ensure that justice prevails. Your unwavering commitment to upholding the principles of transparency, accountability, and Integrity within our bureaucratic and political system gives me hope that this issue will be dealt with in a swift and just manner. I am at your disposal to provide any further information, assistance, or cooperation that may be required during the course of this investigation. I firmly believe that your decisive actions will not only restore the faith of the citizens in our bureaucratic and political system but also serve as a deterrent against such fraudulent activities in the future.

Thank you for your time and consideration. I eagerly await your response and remain hopeful that justice will prevail."

4. The petitioner's counsel seeks bail because the petitioner is not the main accused, Venkat Raman Murti, and the petitioner was introduced only through the Petitioner's son-in-law Manbir Singh, who was an Inspector in Haryana Police, and the petitioner has only been used as a money mule. He further prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and submits that it has been mentioned in the FIR that the petitioner was fully aware of the cheating and thugee against Surender Malik.

6. Complainant's counsel submits that even if the petitioner has the least role, however, because he had received Rs. One crore and was aware of the entire scam, he is not at all entitled to anticipatory bail. The complainant had corroborated his allegations with various photographs and also WhatsApp communications and a reference to the said WhatsApp chat indicates a Zoom meeting linked with the PMOs Office and how the meeting was adjourned by one date or another on more or more pretext. The complainant's

counsel opposed the bail on the grounds that when the victim, Surender Malik, got to know that he had been defrauded, he died because he could not bear the shock; however, before his death, he made a declaration in which he had mentioned all such facts, and it has also been found as part of the police reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

> *"3. That on dated 25.08.2024, during the course of investigation of the case accused Manbir was arrested in this case and he got recorded his disclosure statement in which he admitted that he committed the fraud along with present petitioner namely Dalbir Singh (Father-in-law of accused Manbir) and other accused with the complainant father namely Late Surender Malik on the pretext to appoint Governor of Andaman and Nicobar Island and grabbed amount Rs.10,85,00,000/- (Ten Crore Eighty Five Lacs). In pursuance of the investigation of the case accused Manbir got recovered Rs.2,00,000/- (Two Lacs) cash and same was taken into police possession vide separate recovery memo.*
>
> *4. That on dated 22.10.2024, during the investigation of the case accused Kamaluddin and Arun Kumar were arrested in this case. In furtherance of the investigation of the case accused got recorded their disclosure statement in which they admitted that they committed the fraud alongwith other accused with complainant father on pretext to appoint him Governor of Andaman and Nicobar Island. In pursuance of disclosure statement accused Arun Kumar got recovered Rs.10,000/- (Ten thousand) and accused Kamaluddin got recovered Mercedes, which was purchased by the accused after getting the fraud amount and he also got recovered amount Rs.1,86,000/- and same were taken into police possession vide separate recovery memo.*
>
> *5. That on dated 27.10.2024, during the course of investigation of the case another accused Venkat Raman Murti was arrested in this case and he got recorded his disclosure statement in which he reiterated with the statement of other accused and he admitted that he committed the fraud alongwith other accused. In pursuance of his disclosure statement he got recovered Rs.2,36,000/- (Two Lacs Thirty Six Thousand) cash, Approximately Rs.5,00,000/- (Five Lacs) of Gold ornaments and on car MG hector bearing registration number DL12CV-4519 and same were taken into police possession vide separate recovery memo.*
>
> *6. That on dated 28.10.2024, during the course of investigation of the case other accused Rakesh Kumar Mishra was arrested in this case and he got recorded his disclosure statement in which he admitted that he committed*

the fraud alongwith other accused with complainant deceased father to appoint the Governor of Andaman and Nicobar Island. In pursuance of his disclosure statement he got recovered Rs.95,000/- (Ninty Five Thousand) cash and same was taken into police possession vide separate recovery memo. On dated 09.11.2024, accused Rakesh Kumar Pandey was arrested in this case and during investigation he got recorded his disclosure statement in which he admitted that he committed fraud alongwith other accused with complainant deceased father with a lure to get him appointed as Governor of Andaman and Nicobar. In pursuance of his disclosure statement he got recovered an amount of Rs.43,00,000/- (Forty Three Lacs) cash and BMW car (Approx. Cost Rs.10,00,000/-) (Ten Lacs) by the investigating officer vide separate recovery memo. On dated final investigation report was prepared against the accused Manbir on dated 19.10.2024 under sections 420, 406, 120B IPC and same was submitted in the learned trial court on dated 24.10.2024. It is submitted here that the case is fixed on 10.12.2024 for appearnce. It is further submitted here that investigation of the case is pending yet.

7. That, during the course of investigation, it has been found that the present petitioner alongwith other accused cheated the deceased father of complainant for an amount of Rs.10,85,00,000/- (Ten Crore Eighty Five Lacs) with a lure to get him appointed as governor of Andaman and Nicobar. It is specifically mentioned here that name of the present petitioner is specifically mentioned in the application as he alongwith his son-in-law Manbir visited the house of the complainant's father and allured him to pay money so as get the post of Governor. It is further submitted that an amount of Rs.1,00,00,000/- (One Crore) was also credited in the account of present petitioner on dated 14.09.2020 by the complainant's father namely Late Surender Malik from his account and detail of the account of the present petitioner is also annexed. It is further submitted that the passing of consideration to the tune of Rs.1,00,00,000/- (One Crore) is not disputed. It is further submitted that recovery of an amount Rs.90,00,000/- (Ninty Lacs) is yet to be affected from the present petitioner. So, custodial interrogation would be required to find out the nexus between all the accused and unlock the conspiracy."

8. Photographs, WhatsApp chats, and the investigation duly corroborate the money paid by Surender Malik. The transfer of Rs One Crore in the petitioner's account further corroborates it. The petition is silent about receiving such massive money in his account. Although, as per petitioner's counsel, Surender Malik had expired on 09.06.2023 and there was no dispute until the filing of the complaint, Surender Malik's death would not close

the fraud that had taken place with him, and further, according to the complainant's counsel, Surender Malik had died due to the shock from the same.

9. The Governor's post is the highest post under the Indian Constitution in every State of the Union of India. Unfortunately, Surender Malik believed that he could have been appointed as Governor by paying money, which depicts the public perception of ground realities, the power of money, and how people can procure what they wish by finding the right person or a con contacting them. If the petitioner is granted bail, it would send a very negative message to the people of India.

10. There is sufficient prima facie evidence connecting the petitioner with the crime, his involvement, and his complete knowledge; thus, he is not entitled to bail.

11. A perusal of the bail petition and the documents attached primafacie points towards the petitioner's involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

12. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

13. **Petition dismissed**. Interim orders are recalled with immediate effect. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

17.01.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.