

AB 847/2015  
BEFORE  
HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

Heard Mr P Bora, counsel for the petitioners who submits that the petitioners apprehend arrest in connection with CID PS Case No. 10/15 registered under Section 120B/408/420 IPC; BIEO Case No. 4/15 registered under Section 406/420 IPC and Dispur PS Case No. 533/15 u/s 120B/420/409 IPC.

Petitioners' counsel submits that CID PS Case No. 10/15 and BIEO Case No. 4/15 have arisen out of the same FIR filed by the same informant and Dispur PS Case No. 533/15 has arisen out of an FIR filed by another informant

Petitioners' counsel submits that the petitioners are the Secretaries of NEEDS, an NGO, which sales Customer Care Card (for short, CCC). He submits that the CCCs are sold to the Block Service Centres and District Service Centres of the NGO and they in turn again sell them at a higher price to the public. The public persons who have bought the CCC are entitled to the benefit of discount in various stores and shops.

Petitioners' counsel submits that the above cases are not with regard to any complaint made by any customer having CCC, but they are with regard to complaints made by the informants who are District Service Centres.

Mr K Munir, Addl. P.P. submits that the informants are District Service Centres and they had purchased CCCs from NEEDS which is an NGO and being unable to dispose of the same they had returned the same to NEEDS which however has not returned the money to the District Service Centres.

The FIRs are to the following effect:

Sir, along with these ill-fated Service Centres of NE, I also one of them, fascinated with the false promises of needs and purchased 500 cards from them by paying an amount of Rs. 300000/- as District Service Centre Guwahati East on 07 Nov 12. I was told that the entire amount along with interest will return to me within 5-6 months. More than two years have passed; they have not returned back my due amount. With a great struggle, I could able to recover an amount of Rs. 100000/- from them. For remaining Rs. 200000/- + interest, I approached needs no of times but in vain. Even 2 court notices were served, where Mr Paul replied that by 31st October, 2014 he is going to clear all my dues. The promised date for the same is over, neither had he returned any amount nor he contacted for.

I was employed in Needs as Manager HR & Administration from 01 Feb 2013 to 30 Apr 2013. When I came to know this NGO is a fraud one, immediately I have resigned on 06.05.2013. But Needs has not paid my due amount of monthly salary of Rs 25000/- for the month of Apr 13. Other Employees of needs also used to discontinue from service after 2-3 months knowing actual fact and not getting their due salaries. Therefore needs used to recruit new people in mostly every month and keep continue the same drama.

Considering the materials available on record, I am of the view that the petitioners are not entitled to the privilege of anticipatory bail.

Accordingly, the anticipatory bail applications are rejected.

The interim orders dated 19.3.2015 passed in AB 847/2015, 25.3.2015 passed in AB 946/2015 and 31.3.2015 passed in AB 1021/2015 stand vacated.

Before parting with the records, it is deemed appropriate to observe that different police station cases should not be registered in different police stations on the basis of FIRs containing same allegations and police station cases

pertaining to the same FIR should be registered in one police station only.