

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-17490 of 2015

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Date of decision:9.9.2015

Jaipal Dagar

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Jaideep Dogra, Advocate for Mr. Sanjeev Kodan, Advocate for the petitioner.

Mr. Himmat Singh, Assistant Advocate General, Haryana for the respondent-State.

Mr. Sajjan Singh, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.272 dated 3.5.2015 registered for the offences under Sections 420 and 406 IPC at Police Station Sadar Rohtak, District Rohtak.

Notice of motion was issued in this case.

Mr. Himmat Singh, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and Mr. Sajjan Singh, learned Advocate has appeared on behalf of the complainant.

I have heard learned counsel for the parties and have gone through the record.

Learned counsel for the petitioner argued that the petitioner has already joined the investigation and the allegations in the FIR are false.

Learned State counsel argued that the amount has not been recovered from the present petitioner though he has joined the investigation. Learned counsel for the complainant also contested the bail petition by stating that the complainant has been cheated for ₹4.50 Lacs by the present petitioner.

From the record, I find that the complainant has levelled the allegations in the FIR that the accused have taken ₹1,50,000/- on 25.6.2013 and remaining ₹3 Lacs on 25.4.2014 with the promise to select the son of the complainant as Constable in Railway Department. Neither his son has been selected nor the money has been returned. It is also in the FIR that ₹1,50,000/- Lacs were taken from one Dilbag Singh on interest @2%.

Keeping in view the serious allegations against the present petitioner, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail.

At this stage, there is nothing on record to show that this FIR is false one. Learned counsel for the petitioner is alleging motive against the Sarpanch and one Dinesh Kumar, but the Sarpanch and Dinesh Kumar are not concerned with this case.

Therefore, finding no merit in this petition, the same is dismissed.

September 9, 2015.

(Inderjit Singh)
Judge

hsp