

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.19633 of 2015
Date of decision : 11.6.2015

Vinod Tiwari @ Vinod Kumar Sharma

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: Hon'ble Mr. Justice G.S. Sandhwalia

Present:- Mr. Bhupander Ghanghas, Advocate for the petitioner

G.S. Sandhwalia, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in the event of his arrest in FIR No.352 dated 18.5.2015 under Sections 406, 420, 467 468 and 471 IPC registered at Police Station City, Hansi.

2. The allegations made against the petitioner by the complainant Med Pal are that he had given a sum of ₹ 13 lacs by way of demand draft for admission of his son in a MBBS course at the instance of his friend Mr. Rajesh Saini who had asked to him to contact the present petitioner. The said demand draft was handed over to said person in the presence of Mr. Rajesh Saini. The admission was to be given in Mahatma Gandhi Institute of Medical Science Sewagram Virdha, District Virdha Maharashtra under the name of Kasturba Health Society but the amount was never deposited with the said Institute. One Sumit Garg had opened a forged account in the forged name of the above said society at HDFC Bank, Sector 8 Branch, Panchkula and deposited the demand draft in the said account and withdrawn the money. In such circumstances, the Addl. Sessions Judge, Hisar has dismissed the anticipatory bail application.

Counsel for the petitioner submits that the main accused is

Sumit Garg who had opened the account and withdrawn the money.

A huge amount has been taken from the complainant under the false pretext of securing admission for the son of the complainant and the complainant has been cheated with the active connivance of the petitioner, who was given the demand drafts. It is for the investigating agency to find out the role for which custodial investigation is required. It is settled principle that anticipatory bail should not be granted in such cases and it is for the investigating agency to go to the root of the matter and if any interim relief is granted, it will frustrate the investigation.

Accordingly, the present petition is dismissed.

11.6.2015

Pka

(G.S. Sandhawalia)
Judge