

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-28148-2015

Date of decision: October 14, 2015

Raftaar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. H.S. Gill, Senior Advocate with
Mr. Vivek Goel, Advocate for the petitioner.
Dr. Sushil Gautam, DAG, Haryana.
Mr. Ajay Jain, Advocate for the complainant.

Rajan Gupta, J.(oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 406, 420, 506 and 376 IPC at Police Station City Thanesar, District Kurukshetra, vide FIR No.456 dated 23.06.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. He submits that an enquiry was conducted by DSP, Kurukshetra, wherein the allegations levelled by the complainant were found to be false. Thus, petitioner deserves to be granted concession of pre-arrest bail.

Prayer has been opposed by the State counsel as well as counsel for the complainant. They submit that petitioner has cheated the complainant, who is a widow lady, and also developed sexual relations with her by giving various allurements. He also cheated her of an amount of Rs.13.00 lacs.

I have heard learned counsel for the parties and given careful

thought to the facts of the case.

FIR was lodged on the complaint made by Jaswant Kaur with the allegations that petitioner, who is a doctor, allured her that he would take care of her like her husband and committed rape upon her number of time by administering her some intoxicating medicine. On different dates, petitioner took her to State Bank of Patiala, Thanesar after administering intoxicant tablets to her and withdrew a total sum of Rs.13.00 lacs by obtaining her signatures on withdrawal slips. Thereafter, the petitioner did not return the money to the complainant despite repeated requests. Stand of the State is that he deposited money in his own account on the same date it was withdrawn from the account of complainant.

Keeping in view the allegations against the petitioner, I am of the considered view that he is not entitled to concession of pre-arrest bail. He has grabbed a huge amount of a widow lady. When she demanded her money back, he threatened her to kill. On October 13, 2015, a query was put to learned senior counsel for the petitioner whether petitioner would be ready to return the amount allegedly withdrawn from the bank by taking signatures of the complainant. He sought time to seek instructions. Today, learned counsel submits that petitioner is not ready to return the same. Under the circumstances, I am of the considered view that custodial interrogation of the petitioner may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

October 14, 2015
'Rajpal'