

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

CRM-M-29928-2015(O&M)

Date of Decision: September 7, 2015

Randeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Satish Chaudhary, Advocate
for the petitioner.

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1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

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NARESH KUMAR SANGHI, J.(Oral)

Notice of motion.

At the asking of the Court, Mr.Kuldeep Tiwari, Addl.

A.G.Haryana, who is present in Court, accepts notice. A copy of the paper-book has been supplied to him by learned counsel for the petitioner today in the Court room itself.

Prayer in this petition, filed under Section 438, Cr.P.C.,
is for grant of anticipatory bail to the petitioner, Randeep Singh,

who has been booked for having committed the offences punishable under Sections 120-B, 323, 342, 356, 386 and 506, IPC, in a case arising out of FIR No.98, dated 23.06.2015, registered at Police Station, Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner submits that Randeep Singh (petitioner) was the owner of the house where in a room the rape was committed on Srishty Pooja @ Pooja Sharma by Piyush Garg, but the police did not take any action; thereafter Srishty Pooja @ Pooja Sharma sent her complaint to various quarters through registered post and that despite repeated requests, medical examination of Srishty Pooja @ Pooja Sharma was not got conducted by the police. Just to cover up the case of rape committed on Srishty Pooja @ Pooja Sharma, the petitioner and his co-accused have been falsely implicated in the present case. He further pointed out that the petitioner was not residing in the village where his house is located.

On the other hand, learned counsel for the State submits that as per prosecution version the informant/complainant Piyush Garg was called by Srishty Pooja @ Pooja Sharma to the bus stop at Chhachhrauli on the plea that she was not feeling well and she be taken to some hospital for

medical help. Thereafter she took Piyush Garg to a room at village Kot, Tehsil Chhachhrauli, District Yamuna Nagar. After five minutes of their arrival at the said room, the petitioner along with his co-accused reached in the room where Srishty Pooja @ Pooja Sharma and the nephew of the informant were present and immediately thereafter Srishty Pooja @ Pooja Sharma left the room. Petitioner and his co-accused not only snatched the four ATM cards but also a chain made of gold and ₹5,000/- (Rupees five thousand only) in cash from the aggrieved person. The petitioner and his co-accused withdrew ₹17,000/- (Rupees seventeen thousand only) from the different bank accounts using the ATM cars of the aggrieved person. Three out of four ATM cards have been recovered from the co-accused of the petitioner. The phone call details collected during investigation would show that the version put up by Piyush Garg is correct and the bank account details collected during investigation would further strengthen the version of the informant/complainant that ₹17,000/- (Rupees seventeen thousand only) were withdrawn from his bank accounts through ATM cards carried away by the petitioner and his co-accused. Custodial interrogation of the petitioner would facilitate the Investigating Agency to properly

investigate the case and effect the due recoveries of the ATM card and the cash amount taken away from the informant/complainant and withdrawn from the bank accounts through ATM cards.

I have heard the learned counsel for the parties and with their able assistance gone through the police file from Police Station, Chhachrauli.

As per prosecution version, the petitioner was the member of a gang, which was trapping the innocent persons under the attraction of young girls and thereafter taking the money and articles from the victims. The mobile call details, the bank account statements of the victim and the material collected during investigation by the police in the shape of statements recorded under Section 161, Cr.P.C., would prima facie show the involvement of the petitioner in the alleged offences. In the considered opinion of this Court, his custodial interrogation appears to be necessary. The defence set up by the petitioner would be considered by the Investigating Agency before filing of the report under Section 173, Cr.P.C. or by learned trial Court during trial after scanning the whole material.

No ground for grant of anticipatory bail to the

petitioner is made out.

Dismissed.

September 7, 2015
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(NARESH KUMAR SANGHI)
JUDGE