

201-A

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

CRM-M-43856-2013

Date of decision: 14.05.2015

Bhupinder Singh Saini

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. A.S. Sullar, Advocate
for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Mr. Pritam Saini, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No.151 dated 31.08.2013 under Sections 420, 467, 468, 471, 506 IPC, registered at Police Station Radaur, District Yamuna Nagar.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He further submits that in compliance of the order passed by this Court, petitioner has joined the investigation and cooperated with the investigating agency. He is no more required for the purpose of any further investigation. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Suresh Kumar, Police Station Radaur, District Yamuna Nagar, submits that petitioner is a habitual offender. He has been found involved in

three more FIRs qua similar offences. Petitioner is indulging in commission of identical offences repeatedly. He further submits that allegations levelled against the petitioner have been found substantiated by the investigating agency. He next contended that in fact, it was a racket going-on on the large scale. Innocent people of the area were being looted whose amount has been transferred through bank transactions. He concluded by submitting that the custodial interrogation of the petitioner is necessary. He prays for dismissal of the petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the case noticed hereinabove, petitioner has not been found to be entitled for the concession of anticipatory bail. It is so said because the allegations are direct and serious. He has been found involved in total four FIRs of similar nature. This material fact, prima facie, shows that the petitioner was indulging in commission of similar kind of offences repeatedly.

Without commenting anything further in this regard, lest it should prejudice the rights of either of the parties, this Court is of the considered view that the custodial interrogation of the petitioner would be a compulsive necessity of the investigating agency so as to conduct an effective investigation. No case for anticipatory bail is made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

14.05.2015
vishnu