

In the High Court of Punjab and Haryana at Chandigarh

CRM M-4884 of 2015

Date of Decision: March 03, 2015

Dharampal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Sanjay Vashisth, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 148 dated 23.05.2014, under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, registered at Police Station Badhra, District Bhiwani.

Learned counsel for the petitioner contends that person aggrieved has not lodged any complaint. As such, there is no cheating with the complainant. Registration of FIR is bad in law.

I have considered the contention raised by learned counsel for the petitioner and perused the record.

It is settled principle of criminal jurisprudence, if any

cognizable offence is committed by a person, anybody can give information with reference to such offence to appropriate authority. Offences under Sections 420, 467, 468, 120-B IPC are cognizable offences. They are wrong against the State. Any individual can be an informant. Perusal of Section 154 of Cr.P.C. clearly envisages that any person can give information as regards a cognizable offence. In view of the settled position of law that any one can set the criminal law into motion in cognizable offence, the contention of the learned counsel for the petitioner is devoid of merit, hence rejected. There are serious allegations against the petitioner. It is common knowledge that scrupulous persons fraudulently transfer properties belonging to the public under the garb of their possession. In the present case, since allegations are serious, custodial interrogation of the petitioner is necessary.

Keeping in view the gravity of offences, no ground for pre-arrest bail is made out.

Dismissed.

March 03, 2015
vkd

[Paramjeet Singh]
Judge