

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

CRM No.M-20162 of 2016 (O&M)

Date of decision: 19.08.2016

Vishal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Harish Bhardwaj, Advocate for
Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Dal Singh.

JITENDRA CHAUHAN, J. (Oral)

By way of petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.169, dated 16.05.2016, registered under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code (for the 'the IPC'), at Police Station Farakpur, District Yamuna Nagar.

The learned counsel for the petitioner refers to FIR and states that entire amount i.e. ₹23 lacs was paid to co-accused, Ravi Kant and not

to the present petitioner. However, the petitioner projected that he was engaged in providing jobs and assured the complainant of a job in the Income Tax Department.

The learned State counsel informs that interview letter allegedly received by the complainant-Satish Kumar is generated from e-mail of the wife of the petitioner. On the basis of this letter, the complainant went to Delhi and then found the document to be forged.

Heard.

As per the allegations, the petitioner along with other co-accused, Ravi Kant, Rajbir and Gurpreet Kaur obtained a sum of ₹23 lacs from complainant. The said amount was handed over to co-accused, Ravi Kant on different dates through different agreements. These agreements are attached on police file. In the first agreement ₹3 lacs were paid by petitioner to Ravi Kant for some undefined purpose. In the subsequent agreements, amounts were paid to Ravi Kant being loan obtained by him. During inquiry, it emerged that the petitioner is a member of a gang which allures people and defrauds them with assurance of providing employment. The petitioner allegedly received ₹23 lacs and documents exchanged have also been found to be fabricated. Considering the serious nature of allegations, this Court feels that custodial interrogation of the petitioner is required to unearth the racket. Therefore, keeping in view the role attributed to the petitioner, no case is made out for anticipatory bail at this stage.

Dismissed.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

19.08.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No