

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

**CRM No. M-24918 OF 2016(O&M)
DECIDED ON : 08.08.2016**

Thomas and others

...Petitioners

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Piyush Sharma, Advocate,
for the petitioners.

Mr. J. S. Sekhon, AAG, Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of this instant petition filed under Section 438 Cr.PC, the petitioner has sought pre-arrest bail in case FIR No.70 dated 29.06.2016 under Section 420/120-B IPC registered at Police Station Makhu, District Ferozepur.

The instant FIR stands registered on the statement of Jagjit Singh who has alleged that Dhar minder along with other petitioners and two unidentified men and women allured him by stating that they are having a machine which can make the money double. On their allurements, he went to the house of petitioners with a sum of ₹6,00,000/-. The petitioners along with their co-accused put the entire cash in a machine which was made of glass and then put some medicine like chemical on the

currency notes. Thereafter they took money out of the room to make them dry and while going outside the room, they put off the electricity supply of the house and put bundle of paper which was already prepared, on fire. Subsequent thereto, they left the spot and fled away along with the amount in question.

The contention of learned counsel for the petitioners is that petitioners have been falsely implicated by concocting a false story which is otherwise improbable. No specific role has been attributed to any of the petitioners. Moreover, there is nothing on record to prima facie establish the source of huge amount of ₹6,00,000/-. Petitioner No.4-Salma is the unmarried daughter of Daulat Ram. The other members of family of Daulat Ram have been roped in, in the instant case. In fact Anju d/o Ashok had solemnized marriage with Dharmender against the wishes of her parents and on account of that, the instant case has been registered.

On the other hand, learned State counsel has opposed the pre-arrest bail submitting that the huge amount of ₹6,00,000/- is involved and custodial interrogation of the petitioners is required to unearth all the ramifications involved in this case. Moreover, recovery of amount in question can only be possible through custodial interrogation.

This Court has given an anxious thought to the rival contentions made by learned counsel for the parties and have minutely perused the records available on file.

Undoubtedly, all the family members of Daulat Ram have been involved in the instant case including his unmarried daughter. The main accused namely Dharminder and Jacob have already been arrested by the police in this case. Though, they were subjected to custodial interrogation but nothing incriminating could be recovered from them to connect them with the instant case.

Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits of the case, this Court is of the considered view that it would be desirable that the petitioners are granted the concession of pre-arrest bail. Accordingly, the petition is allowed. All the petitioners are ordered to be released on interim bail at the satisfaction of Arresting Officer/Investigating Officer subject to the condition that they shall join the investigation on 16th and 17th August, 2016. They shall also comply with the terms and conditions as envisaged under Section 438 (2) Cr.P.C.

AUGUST 08, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned

YES/NO

Whether reportable

YES/NO