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

**CRM-M-32595 of 2016 and
CRM No.33283 of 2016
Date of decision: November 18, 2016**

Suresh Kumar

.....Applicant-Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Wazir Singh, Advocate for the applicant-petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

CRM No.33283 of 2016

Heard.

Application is allowed and Annexure A-1 is taken on
record.

CRM-M-32595 of 2016

Heard learned counsel for the rival parties and perused the
FIR in question.

Learned counsel for the petitioner in relation to the FIR
submits that the name of the petitioner is not found in it and the
accused is Anil Kumar Sharma who has been named in the FIR.
Petitioner has nothing to do with the offence in question. Petitioner
did not accept even a single penny of the amount. He further submits
that the trial Court has granted bail to one of the accused. The main

accused has also been granted regular bail.

I have perused the disclosure statement of the main accused, namely Pawan Kumar alias Baba. There is a clear disclosure in the statement that an amount of ₹8 lacs by way of sharing booty was given to the petitioner and the petitioner holds the same. It is in this background, this Court had made an order dated 24.10.2016 offering the petitioner to make payment of an amount of ₹8 lacs. Learned counsel for the petitioner submits that the petitioner will not pay the said amount.

In that view of the matter, prima-facie, there is evidence against the petitioner regarding sharing booty and looking to the offence in question, the petition seeking anticipatory bail is rejected.

Petition stands dismissed, accordingly. The interim order dated 16.09.2016 granting *ad interim* anticipatory bail to the petitioner, is vacated. Liberty is reserved in favour of the petitioner to apply for regular bail.

(A.B. CHAUDHARI)
JUDGE

November 18, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No