

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

***CRM No.M-34796 of 2015 (O&M)
Date of Decision: 08.02.2016***

Babu Lal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Manoj K. Tanwar, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.124, dated 24.03.2015, under Sections 420/406 IPC, registered at Police Station Kanina, District Mohindergarh.

Counsel for the parties have been heard.

FIR was registered on the complaint of Ude Singh. Accusations were levelled against Babu Lal S/o Dharampal R/o Village Kanina, Tehsil Kanina, District Mahendergarh with regard to having taken Rs.7 lacs on 06.03.2013 on the pretext of providing jobs to son and nephew of the complainant in the MES. Allegations are that the jobs were never offered and out of Rs.7 lacs, only Rs.2 lacs have been returned.

On 28.11.2015, the petitioner was granted interim protection as regards arrest subject to his joining investigation.

Learned State counsel upon instructions from ASI Rajesh Kumar would apprise the Court that the petitioner has since joined investigation and is now not required for custodial interrogation.

That apart, submissions made by counsel for the petitioner would require notice that even though the allegations made by the complainant were only against Babu Lal S/o Dharampal but the present petitioner who is a different person, namely, Babu Lal S/o Kanahiya Lal was sought to be implicated on the disclosure statement made by Babu Lal S/o Dharampal. It has also gone uncontroverted that Babu Lal S/o Dharampal, main accused has been granted benefit of bail.

In view of the circumstances noticed hereinabove, the present petition is allowed. Order dated 28.11.2015 passed by this Court is made absolute.

Disposed of.

08.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**