

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

CRM-M No. 5210 of 2016 (O&M)

Date of decision: 07.09.2016

Rakesh Kumar @ Banti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Nikunj Dhawan, Advocate for
Mr. Deepak Kumar, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by SSP Naveen Singla.

Mr. C.L. Pawar, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.01, dated 09.01.2016, registered under Sections 406 and 420 IPC, at Police Station Kathgarh, District SBS Nagar.

The learned counsel states that petitioner has been falsely implicated in the instant case. In fact he is also a victim of Bishan Dass against whom the petitioner has got registered an FIR. In pursuance of order dated 28.03.2016, the petitioner has joined the investigation.

On the other hand, the learned State counsel submits that recovery of alleged amount is yet to be effected and therefore, his custodial interrogation is required in the matter.

The learned counsel for the complainant opposes the bail application.

Heard.

The petitioner was allowed interim bail, vide order dated 28.03.2016. However, despite availing sufficient opportunities, the petitioner has failed to repay the alleged amount of Rs.3,60,000/- which was taken by him from the complainant on the false pretext of sending the complainant to Romania. Keeping in view the conduct of the petitioner, no case for bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

07.09.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No