

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

CRM-M-10090-2017

Date of decision-24.03.2017

Darbara

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Lather, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.441, dated 10.10.2016 registered under Sections 364-A and 170 of Indian Penal Code at Police Station Bhiwani City, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR. He further contends that the incident took place on 04.10.2016 whereas the FIR was registered on 10.10.2016. There is delay of 06 days in lodging the FIR. The petitioner is not named in the FIR and he is not the owner of any vehicle which was used at the time of incident. No recovery is to be effected from the petitioner.

I have heard learned counsel for the petitioner and have gone through the case file.

The allegations in brief made in the complaint are that the accused persons went to the shop of the complainant and projected

themselves as officers of Anti Corruption Bureau. As per the FIR, petitioner snatched the mobile of the complainant; forcibly threw him in a Tata Sumo and took him to a deserted area and demanded ransom money for his release. On refusal, he was slapped and threatened with dire consequences. Subsequently, in order to save his life, the complainant managed to get an amount of Rs.50,000/- from his friend and from his father. After receiving the money, they left the complainant on the road.

There are serious allegations against the petitioner. The petitioner is involved in two other FIRs. Otherwise also, the offence under Section 364-A of IPC is serious in nature. This Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth.

In the circumstances, no case for grant of concession of anticipatory bail is made out.

Consequently, the application for grant of pre-arrest bail stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

March 24, 2017

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