

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

CRM-M No.27492 of 2017

Date of decision: 09.08.2017

Rafik

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Naveen Kaushik, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN J. (Oral)

This is a second petition filed under Section 438 of the Code of Criminal Procedure seeking concession of anticipatory bail to the petitioner in FIR No.53 dated 02.02.2016 for offence punishable under Sections 120-B, 166, 167, 193, 195, 196, 218, 219, 220, 230, 330, 342, 365, 489-A, and 489-B of the Indian Penal Code, 17/61/85 of the Narcotic Drugs and Psychotropic Substances Act and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

Counsel for the petitioner submits that earlier also the petitioner was involved in an FIR at the instance of the complainant – Kundan and the said FIR was cancelled. It is further submitted that the petitioner has been again involved in the present case at the instance of Kundan.

Learned State Counsel, on instructions from DSP Sukhbir Singh, submits that in fact during the course of investigation, co-accused, namely, Asu @ Aas Mohammad and Rafik were arrested and on search of their vehicle, counterfeit currency notes of Rs.10,000/- and

438 gms. of opium was recovered from them. During the course of investigation, the aforesaid co-accused i.e. Asu @ Aas Mohammad and Rafik have made a disclosure statement that the petitioner is also involved in the said offence. The pendency of the earlier case has no direct bearing on the present FIR as the allegation in the present FIR are serious in nature as it involves recovery of counterfeit currency notes and opium.

Heard.

No ground for grant of anticipatory bail is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

09.08.2017
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No