

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

Crl. Misc. No.M-34641 of 2017 (O&M)

Date of Decision: October 06, 2017

Raj Kumar @ Raju

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sushil Kumar Verma, Advocate
for the petitioner (s).

Mr.Ashish Yadav, Addl.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.93 dated 08.07.2017 registered for the offences punishable under Sections 406, 420, 120-B of Indian Penal Code, at Police Station Nathu Sarai Chopta, District Sirsa.

Heard.

As per the allegations of prosecution, complainant Surjit Singh in order to get his marriage solemnized, contacted Manjit son of Om Parkash, who took him to petitioner Raju. He (petitioner) assured to arrange for marriage of complainant and settled the bargain for ₹1,50,000/-. On the next date, Raju informed him to reach Gugamedi, where the complainant along with Manjit reached and met the petitioner, who took them to the house of Mohar Singh, where wife of Mohar Singh, Sharda wife of Nepal Singh, resident of Panipat and one girl namely Shabana were present.

Complainant was introduced with Shabana and their marriage was fixed for 19.06.2017 i.e. the next day. On 19.06.2017, complainant along with Manjit, his father Sarwan, mother Savitri, cousin brother Jasvir reached Sirsa and contacted Raju, who asked them to reach District Courts, Sirsa. On reaching there, Raju took ₹1,50,000/- from complainant and got him married with Shabana at a Shiv Mandir. After the marriage, complainant along with his wife and family members reached his home. On 26.06.2017, Sharda took Shabana with her on the pretext that marriage of her brother has been fixed after 3-4 days. Thereafter, complainant contacted Sharda several times but she refused to send Shabana with him. On 07.07.2017, Sharda along with two ladies came to the house of complainant in vehicle bearing registration No.HR-10V-6120 and when the complainant asked Sharda to send Shabana, she flatly refused and offered to get him married with Manju on charging another sum of ₹1,50,000/-.

Learned State counsel submits that petitioner is the main accused in this case. The police during investigation has found that he along with Sharda and some other persons including Shabana have formed a gang to allure innocent persons searching for life partners with offer of their marriage with young girls and cheat them by charging heavy amount. After few days of the marriage, they take away the girl and start searching for another prey. The custodial interrogation of the petitioner is required to smash the gang being operated by petitioner with Sharda and other persons. Police has arrested Sharda, who in her disclosure statement has stated that the amount of ₹1,50,000/- cheated from the complainant has been shared equally by her and petitioner. Shabana, who married complainant has also eloped and her whereabouts and antecedents are to be inquired from the

petitioner. In case, the police succeeds in smashing the gang, several innocent persons will be saved.

Learned counsel for the petitioner submits that the role of petitioner is confined only till the marriage of petitioner with Shabana. Thereafter, she had gone with Sharda and petitioner has no role in it. Petitioner is ready to join the investigation and co-operate with the investigating agency.

On going through the paper book, facts of the case and submissions of learned State counsel and learned counsel for the petitioner, I find that the allegations against the petitioner indicate that he along with some other persons is involved in cheating the poor and innocent persons, who are in search of life partner. It is quite strange that within two days, they arranged the marriage of complainant with Shabana and then co-accused Sharda asked the complainant to marry a girl namely Manju on payment of another sum ₹1,50,000/-.

Keeping in view the above facts and circumstance, I find that custodial interrogation of the petitioner will help the police not only to verify the antecedents of petitioner but also about their activities. I do not find it to be a fit case for exercise of discretionary power of this Court to extend the benefit of anticipatory bail to the petitioner.

This petition has no merits. Dismissed.

October 06, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No