

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

CRM-M-8523-2017

Date of decision-22.03.2017

Deepak

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rakesh Dhiman, 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.576 dated 30.11.2016 registered under Sections 323, 406 and 506 read with Section 34 of the Indian Penal Code at Police Station DLF-II, District Gurgaon.

It is contended that the petitioner has been falsely implicated in the present case. The incident took place on 17/18.11.2016 whereas, the FIR was registered on 30.11.2016, therefore, there is unexplained delay of more than 12 days. The complainant has levelled false and baseless allegations against the petitioner.

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

The allegations, in brief, made against the petitioner in the complaint are that the petitioner assured the complainant that he would give him new currency notes of Rs.4500/- against old currency notes of

Rs.5000/- as the complainant was in need of money for repayment of loan of Rs.10 lac. On 17.11.2016, the complainant gave Rs.10 lac to the petitioner for changing the currency. On 18.11.2016, when the complainant went to petitioner's house, the petitioner refused to return the money and gave kicks and fist blows to the complainant and threatened him to kill and his family members. Otherwise also, the petitioner is also involved in another FIR registered under Sections 294, 323 and 506 of the IPC.

Considering the serious nature of allegations and as per the disclosure statement of the co-accused Samay Singh, the father of the petitioner, the amount in question is with the petitioner. Otherwise also the context and nature of crime also disentitles the petitioner from the relief sought in the petition. 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.

Dismissed.

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

(JITENDRA CHAUHAN)
JUDGE

March 22, 2017

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