

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

**CRM-M-17132-2018
Date of decision:30.4.2018**

Manjeet Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Satnam Singh Ahluwalia, Advocate
for the petitioner.

Mr. Vikas Malik, D.A.G., Haryana
for the sole respondent.

MAHABIR SINGH SINDHU, J. (ORAL)

This petition has been filed by the petitioner under Section 439 of the Criminal Procedure Code ('Cr.P.C.' - for short) for grant of anticipatory bail in FIR No.551 dated 3.11.2016, under Sections 406 and 408 of the Indian Penal Code ('IPC' - for short) registered at Police Station Manesar, Gurugram.

It is contended by learned counsel for the petitioner that the FIR was registered way back on 3.11.2016 and the petitioner is not named in the same, even two of the co-accused have already been granted

concession of regular bail by the learned trial Court. With these assertions, learned counsel for the petitioner prays that the present petition be accepted and the petitioner be granted concession of pre-arrest bail.

On the other hand learned State counsel has submitted that the petitioner is a master mind of the case as he prepared the fake receipt while putting a seal of consignment sent to Hero Moto Corporation Pvt. Ltd. by the complainant and as such, his custodial interrogation is necessary and prayed for dismissal of the bail application.

Heard both sides and perused the paper-book.

Although the petitioner is not named in the FIR, but in view of the fact that fake receipt was prepared by the petitioner after affixing the seal of Hero Moto Corporation Pvt. Ltd. being its ex-employee and that led to the creation of an impression that consignment has been delivered to the consignee. Therefore, petitioner is the main accused and does not deserve the concession of pre-arrest bail as his custodial investigation is necessary to bring the true facts on record. Consequently, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, present petition is dismissed.

(MAHABIR SINGH SINDHU)
JUDGE

30.4.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |