

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

CRM-M-25820-2018 (O&M)

Date of Decision:- 10.8.2018

Rustam @ Rustamdeen

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikram Singh, Advocate, for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.180 dated 5.5.2018, under Sections 420, 406, 508, 201, 34 IPC, Police Station City Tohana, District Fatehabad.

The FIR in the present case was lodged at the instance of Prem Singh who alleged that his wife had not been keeping well and that he was introduced to a '*tantrik*' by the name Raja by one Mange Ram Jogi and that said Raja represented that he could cure his wife and on this pretext he duped the complainant of ₹27.21 lacs.

Notice of motion was issued to the respondent.

Learned State counsel has opposed the present petition.

Learned counsel for the petitioner has submitted that he is not named in the FIR and nor any role is attributed to him.

On the other hand learned State counsel has submitted that it was upon statement made during interrogation of main accused Raja that the name of the present petitioner surfaced.

It has been informed by learned State counsel, upon instructions from ASI Harpal Singh, that the petitioner has since joined the investigation.

Having heard the learned counsel for the petitioner and also the learned State counsel as well as bearing in mind that the petitioner is not specifically named in the FIR nor any specific role is attributed to him, in my opinion it is not a case where custodial interrogation is required. The petition is as such accepted and interim directions issued vide order dated 14.6.2018 are made absolute subject to the condition that the petitioner would appear before the learned trial Court regularly and abide by any other condition as may be imposed by the learned trial Court.

The petition is accepted in the above mentioned terms.

August 10, 2018
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(Gurvinder Singh Gill)
Judge

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