

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

CRM M-28988 of 2017

Date of decision : 30.01.2018

Ajit Singh Rathee

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Partap Singh, Advocate for the petitioner.

Mr. Chetan Sharma, AAG Haryana.

Mr. Rakesh Dhiman, Advocate for the complainant.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 406 & 420 IPC vide FIR No. 226 dated 07.06.2017 at police station Urban Estate, Rohtak. It has been urged before the court that petitioner has been falsely implicated and has not committed any offence. According to him, petitioner has been found innocent in the various enquiries conducted by the police. Moreover, petitioner has already made full and final payment to the complainant and a written compromise to this effect has also been entered into between them. Thus, he deserves to be enlarged on bail. Learned State counsel has opposed the prayer for bail. According to him, recovery of huge amount is to be effected from the petitioner.

On July 26, 2016 complainant-Anita Devi had lodged a complaint alleging that in the year 2006 she got acquainted with one Savitri. On the pretext of providing job to complainant and her sister, said Savitri took ₹9.5 lacs from them. However, on her failure to do the needful, she

returned of ₹1.4 lacs to them. Thereafter, on January 28, 2012 said Savitri started threatening the complainant and lodged a complaint under sections 323/342/392/506 IPC against her. In order to pursue and contest the case, complainant engaged Ajit Singh Rathee (petitioner herein) as an Advocate, who extracted huge amount from her to settle the case. It is alleged by complainant that he had also taken money in the name of judicial authorities from her. Thereafter, complainant filed a defamation case against Savitri. Petitioner mediated in the said case and extracted more money from the complainant. In order to settle the matter, said Savitri offered 1.25 killas of land in favour of the complainant. To get the said land registered in her name, petitioner allegedly took ₹45.00 lacs from her. In this way complainant parted with ₹1crore & 8 lacs. It was claimed by the complainant that she and her husband had also recorded a conversation of petitioner wherein he had admitted that he had handed over money to various authorities for settling the matter. Admittedly, thereafter, petitioner returned an amount of ₹70.00 lacs to the complainant and obtained written receipt from them. Instead of returning the balance amount, petitioner started extending threats to the complainant.

In my considered view allegations leveled against the petitioner are serious. It is alleged by complainant that she has been duped by petitioner of huge amount of money. Custodial interrogation of the petitioner is necessary to take the investigation to its logical end. Petition is, thus, without any merit and is hereby dismissed.

In the peculiar circumstances of the case, it is directed that further investigation be supervised by an officer not below the rank of

Inspector General of Police to be nominated by Director General of Police, Haryana. Report be submitted in sealed cover within six weeks.

A copy of the order be handed over to Advocate General, Haryana under the Bench Secretary.

January 30, 2018
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No