

CRM-42383-2018 in/and
CRM-M-51468-2018

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-42383-2018 in/and
CRM-M-51468-2018

Date of decision: 01.12.2018

Sourabh Mishra

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Anjan Sinha, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

CRM-42383-2018

Allowed as prayed for.

Copy of final form/report dated 26.07.2018 (Annexure P-5) filed along with the application is taken on record, subject to all just exceptions. Be tagged at the appropriate place.

CRM-M-51468-2018

Through this second petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No. 105 dated 08.05.2017 registered under Sections 420 and 406 IPC at Police Station Chhachhrauli, District Yamuna Nagar.

According to the prosecution, the petitioner and his accomplice-Sumit Kumar, cheated the complainant-Dr. Raj Kumar Atri, for Rs. 27,00,000/- adducing and alluring him on false promises.

Learned counsel for the petitioner *inter alia* contends that

petitioner is innocent. Co-accused, Sumit Kumar, is the main culprit, who in his disclosure statement has categorically stated that he alone had cheated the complainant. In a way, main accused-Sumit Kumar, has not alleged anything about the complicity of the petitioner.

On the other hand, learned State counsel strongly refuting the submissions of learned counsel for the petitioner contends that petitioner is a gangster. He in connivance with his co-accused-Sumit Kumar, had cheated several other persons. Therefore, his custodial interrogation is required so as to trace about the role and involvement of his other accomplice.

In view of the above and also considering the seriousness of offence, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

Dismissed.

December 01, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No