

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

CRM M-7684 of 2017

Date of decision :15.02.2018

Mukesh Kumar

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kshitij Sharma, Advocate for the petitioner.

Ms. Tanushree DAG Haryana

Mr. V.K. Gupta, Advocate for the complainant.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 406, 420, 467, 468, 471 & 120-B IPC vide FIR No. 0152 dated 18.10.2016 at police station Kalka, Panchkula. It has been urged before the court that petitioner has been falsely implicated in the case. The allegations are totally false and baseless. According to him, there is no evidence on record to connect the petitioner with the alleged crime. He is thus entitled to concession of pre-arrest bail. Learned State counsel has opposed the prayer. According to her, petitioner duped the complainant(s) of huge amount on the pretext of providing government jobs.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on the written complaint made by Kuldeep S/o Satpal, Narender S/o Rajan Singh, Ajit S/o Satpal & Sandeep S/o Jaipal.

It was alleged that petitioner alongwith other accused took ₹27,75,000/-

from them on the pretext of providing government jobs by preparing fake and forged certificates. Investigation ensued and co-accused Surajbhan was arrested on 03.01.2017. In the affidavit filed by Om Parkash, Assistant Commissioner of Police, Kalka it has been stated as under:-

“1. That case FIR 152 dasted 18-10-2016 under sections 406, 420, 467, 468, 471 & 120-B of IPC Police Station Kalka, Panchkula was registered against the petitioner and other accused namely Rajbir Chauhan, Smt. Anita w/o Rajbir Chauhan and Surajbhan S/o Kishna on the written complaint of Kuldeep S/o Satpal, Narender S/o Rajan Singh, Ajit S/o Satpal, Sandeep S/o Jaipal. During the investigation statement of witnesses were recorded and relevant record was taken into possession by the police. During the investigation, it is found that the accused persons have collected Rs. 27,75,000/- from the complainants to provide them Government Job. During the investigation, it is found that petitioner and other accused prepared forged education certificates. On 03-01-2017 accused Surajbhan was arrested and arrest warrant of the petitioner was got issued on 06-02-2017. Petitioner got anticipatory bail on 07-02-2017 and joined the investigation on 31-03-2017 through his counsel but he has not cooperated with the investigation. Matter is pending in the learned court and fixed for 10-08-2017.”

Stand of the investigating agency is that custodial interrogation of the petitioner would be required to unravel the modus operandi of the crime. Keeping in view entire facts and circumstances of the case, I am of the considered view that no case for grant of pre-arrest bail is made out. Petition is, thus, without any merit and is dismissed.

February 15, 2018

Ajay

(RAJAN GUPTA)
JUDGE