

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36680 of 2018 (O&M)

.....

Date of decision:10.05.2019

Rakesh Kumar

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Aseem Malhotra, Advocate for Mr. Ram Kumar Saini,
Advocate for the petitioner.

Mr. Sharad Kumar Yadav, Deputy Advocate General, Haryana
for the respondent-State.

Mr. Gautam Dutt, Advocate for the complainant-respondent
No.2.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.158 dated 5.4.2018 registered
for the offences under Sections 120-B, 406, 420, 467, 468, 471 and 506 IPC
at Police Station Badshahpur, District Gurugram.

Notice of motion was issued in this case.

Mr. Sharad Kumar Yadav, learned Deputy Advocate General,
Haryana has appeared on behalf of the respondent-State and Mr. Gautam
Dutt, learned Advocate has appeared for the complainant-respondent No.2
and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, as per the prosecution, the petitioner has connived with one Bahadur Singh Chauhan and induced the complainant to enter into an agreement to sell which is said to be a forged one. The present petitioner is stated to be a witness to that agreement and Bahadur Singh Chauhan was not owner of that property. It is also the case, as argued by the learned State counsel as well as learned counsel for the complainant, that the property in question was got transferred through forged sale deeds by the present petitioner and Bahadur Singh Chauhan which fact further supports that they in connivance with each other have cheated the complainant for the amount of more than ₹3 Crores.

Keeping in view the serious allegations against the present petitioner and the fact that he is required for custodial interrogation, I do not find it a fit case where the petitioner is entitled for the grant of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

May 10, 2019.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No