

S.No.209

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

CRM-M-31516 of 2019 (O&M)

Date of Decision:27.11.2019

Ashwani

.....Petitioner

Vs.

The State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Surinder Gandhi, Advocate for the petitioner.

Mr. M.D. Sharma, AAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.162 dated 01.05.2019 registered under Section 384 IPC at police Station Civil Lines, Sonapat.

Learned State Counsel has pointed out that there is a recorded conversation of the petitioner with the complainant in which the petitioner is demanding the money from the complainant, so as to blackmail him in the name of not making correct deposition before the Court in another case; which has been lodged against the complainant at the instance of the petitioner.

In view of the above and keeping in view the very fact that the petitioner is allegedly found involved in playing frauds with the process of the Court, this Court does not find any mitigating circumstances to lead this Court to exercise its power under Section 438 Cr.P.C so as to grant

anticipatory bail to the petitioner. The Police are required to unearth the actual facts. If the petitioner is interrogated under the protective umbrella of order of this Court, he is not likely to answer the questions in the right earnest. Hence, granting anticipatory bail to the petitioner would also hamper the free and fair investigation.

Finding no merit in the present petition, the same is dismissed.

November 27, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No