

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3359-2020

Date of Decision: 27.01.2020

Sachin

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Dr. Deipa Singh, Advocate for the petitioner.

Mr. Surinder Paul, DAG, Haryana.

Mr. DS Matya, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

Mr. DS Matya, Advocate has put in appearance on behalf of complainant on his own and filed power of attorney in Court today. The same is taken on record. Be tagged at the appropriate place.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to petitioner-Sachin, in case FIR No. 395 dated 03.11.2019 registered under Sections 392, 397 and 506 read with Section 34 IPC at Police Station Sector-17/18 Gururgram.

According to prosecution, in the evening of 01.11.2019, petitioner along with his co-accused, namely; Virpal happened to be co-employee of complainant-Parshu Ram Nypanes, under the employment of one Prashant Sethi, robbed him for ₹40,00,000/- at IFFCO Chowk, Gurugram.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in the instant case. In fact, he worked with Prashant Sethi, aforesaid for around 5 years as his driver. Prashant Sethi is a big fraud. He by opening bank accounts, preparing passports and other valuable documents of his employees, is indulged in cheating and committing fraud with general public. On receipt of notices from Income Tax Departments and GST Authorities, when the petitioner confronted his ex-employer Prashant Sethi, he falsely got implicated him in the instant case, through complainant-Parshu Ram Nypanes.

On the other hand, learned counsel for the complainant vehemently refuting the above submissions of learned counsel for the petitioner contends that it is a case of highway robbery of ₹90,00,000/- in broad day light, which has to be recovered from the petitioner along with weapon of offence and car used in the commission of crime.

Having given thoughtful consideration to the rival submission and considering the fact that custodial interrogation of petitioner is very much necessary for recovery of huge robbed amount of ₹90,00,000/-, along with weapon of offence and car used in commission of crime, he does not deserve concession of anticipatory bail.

Dismissed.

January 27, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No