

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16684 of 2020
Date of Decision:10.07.2020

RAVI CHAUHAN

...Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Parveen Kaushik, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. M.S.Rana, Advocate for the complainant.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in FIR No.201 dated 19.03.2020 registered under Sections 406, 420 and 506 of Indian Penal Code, 1860 at police Station Rohtak City, District Rohtak.

The case of the prosecution is that Ashok Kumar s/o Ajmer, on asking of the petitioner and co-accused namely Tinku and Anil Malik, transferred ₹7,00,000/- to the petitioner's account on the pretext of getting employment for Ashok Kumar in the Indian Army. On receipt of the aforesaid amount the petitioner and his co-accused gave documents to Ashok Kumar which purportedly permitted him to join the Indian Army. However, later such documents were found to be forged. When Ashok Kumar and the complainant-uncle of Ashok Kumar asked the petitioner and his co-accused to return the money, the petitioner issued a cheque which was dishonored.

Seeking anticipatory bail for the petitioner, learned counsel for the

petitioner submitted that to show his bona fide, the petitioner is willing to return the money which is alleged to have been paid for getting employment for Ashok Kumar and that the petitioner is also ready to join investigation.

Learned State counsel opposes the grant of anticipatory bail of the petitioner on the ground that the petitioner and his co-accused are involved in fraud and have forged documents pertaining recruitment to the Indian Army. It is further submitted that none of the accused have been arrested so far and recovery of the money from the petitioner and his co-accused is yet to be made.

The petitioner is alleged to have committed a serious crime of fraud and forgery of documents pertaining recruitment to the Indian Army; none of the accused have yet been arrested; recovery of the amount allegedly paid to the petitioner is yet to be made; whether the petitioner committed fraud/forgery in other cases as well and the exact modus operandi adopted by the petitioner and his co-accused for committing the alleged fraud/forgery is yet to be deciphered.

In view of the above, this Court is of the opinion that the custodial interrogation of the petitioner is necessary.

Dismissed.

July 10, 2020

Jyoti-IV

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No