

CRM-M-18745 of 2020

**201IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-18745 of 2020
Date of decision: 07.12.2020

Rafakat Ali

.....Petitioner

vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rajesh Bhateja, Advocate, for the petitioner.
Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.31 dated 23.01.2020 registered under Sections 406, 420 and 506B IPC at Police Station Nuh, District Mewat.

Briefly stated, the case of the prosecution is that the petitioner who was known to the complainant assured him that if the complainant paid to the petitioner an amount of ₹12.00 lakhs he could get him employment as a junior engineer in the PWD, Government of Haryana. Accordingly, the complainant paid an amount of ₹6.00 lakh to the petitioner but after the selection process was over the complainant was not appointed to the aforesaid post. The complainant then asked the petitioner to return the money, which he refused to do so and rather threatened him with his life leading to the lodging of the aforesaid FIR.

CRM-M-18745 of 2020

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case; there is no proof of the alleged payment made by the complainant to him and that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency.

Learned State counsel on instructions of DSP Sudhir Taneja submitted that under interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 15.07.2020, granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

December 07, 2020
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No