

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM No. M-28494-2020

Date of Decision : 30.09.2020

MADAN LAL

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ravinder Malik (Ravi), Advocate for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Mr. U.K. Agnihotri, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No. 260 dated 17.07.2020, under Sections 346, 406, 420, 506 of Indian Penal Code, registered at Police Station Indri, District Karnal.

Learned counsel for the petitioner argues that the petitioner has wrongly been roped in the present case. Learned counsel for the petitioner submits that petitioner had no role to play with regard to the payment of money to the other co-accused, which was taken from the complainant initially on the pretext of getting a job in the Railways and thereafter for sending the son of the complainant, namely, Mukesh to America. Learned counsel further submits that petitioner is ready to join the investigation and,

therefore, he may kindly be granted the benefit of anticipatory bail.

Learned State counsel submits that there are clear allegations that it was the petitioner, who has introduced the complainant with the other co-accused. Learned counsel further submits that it was the petitioner, who convinced the complainant that the other accused had a very good connection with the Government of Haryana and Delhi Central Government and they will get the job done and, therefore, once there are clear allegations against the petitioner, his custodial interrogation is necessary so as to ascertain the trail of the money and to recover the same, which was taken from the complainant and is yet to be returned.

Learned counsel appearing on behalf of the complainant submits that the petitioner had approached the complainant and introduced to the other co-accused stating that the other co-accused i.e. accused Nos.1 to 4 are getting the Government Job done and under his assurance, the money was paid to the other accused. Learned counsel further submits that Rs. 26 lacs was paid to the petitioner.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, there is an allegation that Rs. 26 lacs was paid to the petitioner and petitioner had introduced the complainant to the other co-accused with the clear intend and assurance to the complainant that the other co-accused have very good connection with the Government of Haryana and Delhi Central Government and they can get job to Mukesh in Railways and thereafter, the promise was made to send Mukesh to America, the custodial interrogation of the petitioner is necessary for recovery of the amount, which the petitioner had taken from the complainant for the said

purpose and also to unearth the facts as to whether the petitioner was a habitual offender for committing these kinds of offences or not.

No ground is made out for the grant of anticipatory bail to the petitioner.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 30, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No