

(209)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55147-2019 (O&M)

Date of decision : 06.02.2020

Amrik Chand

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present:- Mr. Vinod Bhardwaj, Advocate
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Dishant D. Teteja, Advocate
for the complainant.

...

VIVEK PURI, J. (Oral)

Present petition under Section 438 Cr.P.C. is for seeking anticipatory bail to the petitioner in case FIR No. 526 dated 07.12.2019 under Sections 406 and 420 IPC registered at Police Station City Kaithal, District Kaithal.

A perusal of the FIR shows that allegations against the petitioner are that a sum of Rs.5,50,000/- was taken by him from the complainant for the purpose of providing employment to the complainant in Haryana Police. The amount has been extracted by playing a fraud.

Learned counsel for the petitioner contended that there is no source of money with the complainant to make payment of huge amount to the petitioner. However, it is significant to note that the petitioner had given in writing dated 02.12.2019 acknowledging his liability to return the amount of Rs.5,50,000/- by 04.12.2019. This undertaking is indicative of the fact that the amount was received by the petitioner. Further more, there is nothing to suggest that in terms of the writing, any amount has been paid by

the petitioner to the complainant.

No case is made out to extend the concession of anticipatory bail to the petitioner, who has extracted amount of Rs.5,50,000/- from the complainant by playing deception and fraud.

Dismissed.

(VIVEK PURI)

Judge

06.02.2020

Pardeep

Whether speaking/reasoned Yes/No

Whether reportable Yes/No