

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

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**CRM-M No.7652 of 2021
Date of Decision:18.03.2021**

MANISH

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Vansh Malhotra, Advocate
for the petitioner.

Mr.Anant Kataria, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through
video-conferencing.

CRM-6843-2021

For the reasons mentioned in the application, the
same is allowed. Attendance Register (Annexure P-3) is taken
on record subject to all just exceptions.

CRM-M-7652-2021

This petition has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail in case bearing FIR No.310 dated
08.08.2020 under Sections 370, 384, 406, 420 IPC and Section
24 of the Immigration Act registered at Police Station Pundari
District Kaithal.

As per reply filed by way of an affidavit of Ravinder Singh, Deputy Superintendent of Police, Kaithal, an amount of Rs. 15,00,000/- was paid to the petitioner on 19.03.2019 in the presence of Chandi, Krishan (father of the complainant) and Sonu, at the house of Sonu in village Mundri. On 29.03.2019, an amount of Rs.5,00,000/- was paid by father of the complainant. On 14.05.2019, an amount of Rs.4,00,000/- was also paid by father of the complainant. Petitioner is in Indian Army and is posted in Gujrat. On 12.09.2020, a letter was written to the Officer Incharge of the petitioner, C/o 56APO, Bhuj Gujrat. A report from Immigration Department has also been received, showing visit of the complainant. Despite the reminders sent to the Army authorities, no reply has been received so far. The presence of the petitioner on 19.03.2019 in the village is established, which is prima facie authenticated even in a video prepared by Krishan through his mobile at the time of receiving money by the petitioner and two other persons.

Learned counsel for the petitioner submits that the petitioner has not received the money. The reply further shows that the petitioner is having antecedent behaviour of criminal activities as he is involved in three more cases. The details of which have been given in para No.4 of the reply. Learned counsel for the petitioner submits that in two of the aforesaid

cases, petitioner is on anticipatory bail and in the third case bearing FIR No. 51 dated 04.02.2021 under Sections 406, 420 IPC and Section 24 of the Immigration Act registered at Police Station Pundri, anticipatory bail of the petitioner has been declined by the Court of Session and he is in the process of filing anticipatory bail in the High Court.

In view of the allegations on record, I do not think that it is a fit case for grant of any indulgence under Section 438 Cr.P.C.

Accordingly, this petition is dismissed.

March 18, 2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No