114 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10506-2021
Date of Decision: 05.03.2021

Mubarik

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Rosi, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral

This is a petition that has been filed for anticipatory bail to the petitioner in a case bearing FIR No.0140 dated 11.07.2018 registered under Sections 120-B, 34, 342, 365, 379-A of the Indian Penal Code (Sections 364-A, 506 of IPC added later on) and (Sections 365, 342, 379-A deleted later on) at Police Station Bahin, District Palwal.

Learned counsel for the petitioner herein would submits that the allegations as set out against him are false and in fact the complainant was kept locked up in a house belonging to one Haneesh. It is argued that the allegations that the complainant was taken in a Bolero vehicle would not pertain to him by further submitting that the allegations for transferring an amount of Rs.5,000/- is pertaining to one Mr. Rafiq.

Notice of motion.

At the asking of the Court, Mr. P.P. Chahar, D.A.G., Haryana, who is present in the Court accepts notice on behalf of the respondent-State.

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Learned counsel for the respondent-State on instructions from ASI Subhash would submit that in fact the petitioner herein is the person who has been specifically named in the FIR as Mubarik who portrayed himself to be one Mr. Gupta Ji. It is he who enticed the complainant to come to Delhi for finalization of a deal pertaining to cashew and raisins etc. It is submitted that even though the Bolero car might not have been belonging to the petitioner herein but there are specific allegations that the petitioner herein was present on the spot and he took ATM card of the complainant and withdrew an amount of Rs.10,000/- from the account and also snatched cash of Rs.5000/- as well as his phone from him.

I have heard learned counsel for the petitioner and find that there are serious allegations against the petitioner herein of being a party to the incident that took place wherein the complainant was kept incarcerated in a room for one day. The allegation is that the petitioner herein projected himself to be Gupta Ji of Gupta Food Products with a further allegation that an ATM card of Union Bank of India was taken from him and utilized for withdrawing an amount of Rs.10,000/- apart from snatching Rs.5,000/- from his pocket and mobile phone.

Consequently, finding no ground, the present petition stands dismissed.

05.03.2021 **(JAISHREE THAKUR)**
ps-I **JUDGE**

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

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