

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

210

CRM-M-8301-2022 (O&M)

Date of Decision: 18.04.2022

VIKASH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ajit Sihag, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

Mr. RS Mamli, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.398 dated 27.09.2021, registered under Sections 406, 420 IPC, at Police Station Agroha, District Hisar, Haryana.

Learned counsel for the petitioner submits that, on an investigation conducted by the Economic Crime Branch, it was found that some money transaction took place between the parties and that the dispute is civil in nature, which has been given the cloak of criminal proceedings. He further submits that on 07.02.2020 a partnership firm, namely, M/s Shri Laxmi Enterprises, was formed between the petitioner and the complainant, which is valid till 31.03.2024.

On the other hand, learned State counsel assisted by learned counsel for the complainant submits that the petitioner and the

complainant are close relatives and that, on the pretext of providing a contract of smart cards, the petitioner took money from the complainant and one Amit; that during investigation, bank account statements of the petitioner and his wife, were taken and it was found that an amount of Rs.4,50,000/- was deposited in the account of the petitioner and his co-accused, namely, Shiv Kumar and Rs.50,000/- in the account of Monika (wife of the petitioner), through Google Pay and that later on, the petitioner had refused to return the money.

I have heard the learned counsel for the parties.

The allegations against the petitioner are specific and direct. The petitioner has defrauded the complainant and one Amit and that too on the pretext of providing the complainant a contract work of smart cards. Neither the contract was provided nor the money returned. Therefore, to unearth the truth, the custodial interrogation of the petitioner is a must.

In view of the above, no ground is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

18.04.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>