

102

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

CRM-M-14408-2023
Decided on : 11.04.2023

Lakkha Ram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.S.Mirpur, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.15 dated 23.02.2023 under Sections 406, 420, 467, 468 and 471 IPC registered at Police Station Rori, District Sirsa.

Learned counsel for the petitioner submits that the allegations against the petitioner in the FIR in question that the petitioner after taking photographs of PAN card and Aadhar Card of the complainants had opened their bank account, behind their back, stood belied from the fact that no bank account of any person could be opened in his absence. Therefore, it was evident that the bank accounts were opened by the complainants themselves and not by the petitioner as alleged. Learned counsel also further submits that the false implication of the petitioner is further evident from the fact that there was no allegation qua the petitioner obtaining signatures of the complainants whereas bank accounts could not have been opened without their signatures. Learned

counsel still further submits that it was a matter of record that the complainants had all along been operating their bank accounts, which was apparent from the various transactions carried out by them from the bank accounts in question. Learned counsel also submits since it was not the case of the complainants that they had been duped of some money or money belonging to them had been misused, hence, custodial interrogation of the petitioner in the FIR in question was not required.

Notice of motion.

On the asking of Court, Mr. Chetan Sharma, AAG, Haryana accepts notice on behalf of respondent-State.

Learned State counsel has apprised the Court that the custodial interrogation of the petitioner is required to unearth the huge fraud played by him on innocent persons alongwith higher officials of the company.

Heard learned counsel for the parties and perused the relevant material available on record.

As per the allegations levelled in the FIR in question, a complaint was moved to the Superintendent of Police, Sirsa alleging that the petitioner, who was working in the Company, took pictures of the Pan Cards, Aadhar Cards and photographs of the complainants and others on the pretext of arranging fertilizers and pesticides etc. for them. However, the petitioner, instead colluded with higher officials of the Company and opened bank accounts of the complainants in Indusind Bank, after misusing the above documents. Allegedly financial transactions running into lacs i.e. Rs.89,36,360/- were carried out by the petitioner through the bank accounts of the complainants, which in fact had

never been opened by them. The petitioner had all along been allegedly operating the said bank accounts.

Prima facie there are serious allegations levelled against the petitioner for which he does not deserve the extraordinary concession of anticipatory bail. In the circumstances, no ground is made out to grant the concession of anticipatory bail to the petitioner.

Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

11.04.2023
sonia

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No