

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

CRM-M-30166-2023

Date of decision : 03.07.2023

Jai Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nand Lal Sammi, Advocate for the petitioner.

Mr. Sukhdeep Parmar, Sr. DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 (2) Cr.P.C for cancellation of anticipatory bail granted to respondent No.4 vide order dated 17.04.2023 (Annexure P-2) in case FIR No.378 dated 21.10.2022 registered under Sections 406 and 420 Indian Penal Code, 1860 at Police Station Mullana, District Ambala, Haryana.

Learned counsel for the petitioner submits that accused persons had induced the complainant to pay a sum of Rs.3,50,000/- for sending her sons abroad, but despite the payment, the accused persons failed to keep their promise & it resulted in wrongful loss to the complainant. He submits that the allegations in the FIR are serious, but the learned Sessions Judge, Ambala vide order dated 17.04.2023 has wrongly granted the concession of anticipatory bail to respondent No.4-Randiri Devi. He submits that the custodial interrogation of respondent No.4 for effective investigation is

essential and prays that the concession of anticipatory bail extended to respondent No.4 be cancelled.

After hearing the learned counsel and considering his submissions, this Court does not find any merit in the argument advanced by the learned counsel as the Sessions Judge, Ambala has extended the concession of bail after considering the stand of the Investigating officer. According to the Investigating Officer, the accused had joined the investigation pursuant to the interim concession of pre-arrest bail. Besides, considering the nature of the offence as well as the allegations in the FIR, this Court finds that it is not a case where the Court of Sessions has exceeded its jurisdiction.

During the course of hearing, Mr. Sammi, learned counsel for the complainant is unable to refer any material to establish that the accused had either mislead the Court while seeking bail or ever misused the concession. Resultantly, no ground is made out for exercise of jurisdiction under Section 439(2) Cr.P.C.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

03.07.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No