

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105

CRM-M-47376-2023 (O&M)

Date of Decision: 20.09.2023

AMAR SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rishi Lal, Advocate for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case bearing FIR No.207 dated 20.08.2023, registered under Sections 420, 467, 471, 506 and 34 IPC, at Police Station Sadar Panipat, District Panipat.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that it was Yogesh Kumar, who has received a sum of Rs.11,00,000/- from Sonu Rathi, brother of the complainant, namely, Rajesh Rathi, as would decipher from the affidavit dated 09.12.2022 (Annexure P-1); that the petitioner is merely a witness to the aforesaid affidavit (Annexure P-1) and that the petitioner has no role to play in the alleged incident.

Notice of motion.

On the asking of this Court, Mr. Rahul Dev Singh, Additional AG Haryana, accepts notice on behalf of the respondent-State. He submits that co-accused, namely, Yogesh Kumar, has received a sum of Rs.11,00,000/- from the brother of the complainant, in the presence of the petitioner and that it was the petitioner who has provided forged documents

i.e. forged list and joining letter to the complainant. He further submits that it was the petitioner and co-accused, namely, Manjeet, who had visited the house of the complainant on 24.11.2022 and took Rs.1,00,000/- from him on the pretext of providing a job in the Railway Department and thereafter, the remaining amount was given to the petitioner and co-accused.

I have heard the learned counsel for the parties.

As per the complainant's version, petitioner and co-accused have duped him to the tune of Rs.11,00,000/- on the pretext of providing a job in the Railway Department. Thereafter, when the complainant demanded his money back, the petitioner flatly refused to return the same.

Co-accused, namely, Yogesh Kumar, in his affidavit dated 09.12.2022, has specifically admitted receipt of Rs.11,00,000/- from the brother of the complainant. Further, Yogesh Kumar has also undertaken to return the said amount to the complainant along with interest. The affidavit has been duly counter-signed by the petitioner and one Som Parkash, as a witness. It was the petitioner, who has handed over forged documents i.e. forged list and joining letter to the complainant. The allegations against the petitioner are specific, grave and serious in nature. Thus, custodial interrogation of the petitioner is required.

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

Dismissed.

20.09.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*