

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

201

CRM-M-54012-2022 (O&M)

Date of Decision: 21.02.2023

AMIT

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Lalit Pardhan, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

Mr. Sandeep Sharma, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks anticipatory bail in case bearing FIR No.438 dated 19.06.2020, registered under Sections 120-B, 420, 467, 468 471 and 506 IPC, at Police Station Sadar Bhiwani, District Bhiwani, the first one having been dismissed as withdrawn on 27.01.2022.

Learned counsel for the petitioner submits that now two co-accused have already been granted the concession of regular bail and one has been granted anticipatory bail and thus, the present second petition seeking anticipatory bail. He further submits that the petitioner has falsely been involved in the present case and that the present FIR is a counter-blast to FIR No.386 dated 30.05.2020, registered under Sections 323, 34, 365 and 387 IPC and Section 25 of the Arms Act, at Police Station Sadar

Bhiwani, registered by the petitioner against the brother of the complainant. Still further, it is submitted that on 29.09.2022, charges have been framed against co-accused, namely, Dharampal, Suresh, Rohit and Dharmender and that except two other FIRs, there is no other FIR against the petitioner.

On the other hand, learned State counsel and learned counsel for the complainant submit that the petitioner is a prime accused in the present case; that the petitioner had forged and used the stamp of the Indian Army; that by using the said forged stamp, the petitioner issued fake joining letters to the victims for their joining as Constable in Indian Army; that the victims have already paid Rs.17,00,000/- to the petitioner, in lieu of the said joining letters and that the forged stamp and other documents can only be recovered after the petitioner's arrest.

Learned State counsel further submits that the petitioner is facing two more FIRs of similar nature and that two co-accused were granted regular bail, being senior citizens.

I have heard the learned counsel for the parties.

There are specific and grave allegations against the petitioner of forging stamp of Indian Army and using the same in issuing fake joining letters for Constables in Indian Army. On the pretext of said joining letters, the petitioner was handed over Rs.17,00,000/- by the victims. The stamp and other documents are yet to be recovered from the petitioner. Moreover, there are two more FIRs of similar nature pending against the petitioner, in which he has yet not been arrested.

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

Dismissed.

21.02.2023

Aman Jain

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

:

:

Yes/No

Yes/No