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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M 52345-2023
Date of Decision 18.10.2023

Satish Kumar

.....*Petitioner*

versus

State of Haryana

...Respondent

Coram Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Namit Khurana, Advocate for the petitioner

Rajbir Sehrawat, J, (Oral)

The present petition has been filed under Section 438 of the Code of Criminal, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 294 dated 21.08.2023, registered under Sections 406, 420, 506, 467, 468, 471, 370 and 120-B of the Indian Penal Code and Section 24 of the Immigration Act, at Police Station Mullana, District Ambala (Annexure P-1).

It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. In fact, the complainant himself is a travel agent and had got booked air tickets through one Dev *alias* Shanty. The said ticket was sent to the petitioner by none other than the complainant. The name of the petitioner has unnecessarily been dragged in the present case. The petitioner shall join the investigation as and when called for by the police. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Krishan Kumar Chahal, Additional Advocate General, Haryana accepts notice on behalf of the respondent State. Mr. Fateh Saini, Advocate appears and filed his memorandum of appearance on behalf of the complainant.

It is submitted by counsel for the State, on instructions from SI Karam Chand and being assisted by counsel for the complainant that the petitioner is directly involved in the case. There is a digital evidence, as well as, video recording where the petitioner is visible admitting that he has counted the money which was taken from the complainant. Therefore, by any means, the petitioner cannot assert that he is not involved in the crime. Moreover, there is one more case of embezzlement against the petitioner. The investigation is at the initial stage. The police are to unearth the true dimensions of involvement of the petitioner in the crime. Hence, the custodial interrogation of the petitioner is imperative in the case.

In view of the facts and circumstances available on the file, as well as, submissions made by counsel for the State; as supplemented by counsel for the complainant, this Court does not find it appropriate to interfere in the matter, so as to grant concession of anticipatory bail to the petitioner.

Dismissed.

(Rajbir Sehrawat)
Judge

October 18, 2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No