

CRM-M-2237-2024 (O&M)
Date of decision : 16.01.2024

Rajwinder Singh alias Rajwinder ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Mohit, Advocate,
for the petitioner.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973, has been filed for grant of pre-arrest bail to the petitioner in FIR No.0481 dated 04.12.2023, under Sections 406 and 420 of the Indian Penal Code, 1860, and Section 24 of the Emigration Act, 1983, registered at Police Station Civil Line Kaithal, District Kaithal.

2. Allegations against the petitioner are that he allured the complainant on the pretext that he would emigrate his son Anuj Kumar to Portugal and in lieu thereof, he had usurped a huge amount from the complainant, but left the complainant's son in Libiya, whose whereabouts are not known.

3. Contends that petitioner has been falsely implicated in the present case. Further contends that petitioner never took passport and cash amount from Anuj Kumar, who is the son of complainant and also never left him abandoned in Libiya; complainant's son approached him for going to Dubai and he was successfully sent to Dubai. Lastly, submitted that petitioner is ready to join investigation and nothing is to be recovered from

him, as such he deserves concession of pre-arrest bail.

4. Heard learned counsel for the petitioner and perused the paper-book.
5. From the bare perusal of the paper-book, it is discernible that there are serious allegations against the petitioner regarding usurping the huge amount from the complainant on account of sending his son abroad and left him abandoned in Libiya. It is also revealed that petitioner is involved in two other criminal cases of similar nature, though he is stated to be on interim bail in both cases.
6. Despite the fact that petitioner has already been granted concession of interim bail in two other criminal cases of similar nature and has been named in the third case, i.e. the present case; his custodial interrogation is very much required to know the *modus operandi* of the petitioner.
7. As a result thereof, this Court is not inclined to accept the prayer of petitioner and the same is dismissed.
8. Ordered accordingly.
9. It is clarified that observations made above shall not be construed as an expression of opinion on merits of the controversy, in any manner.

16.01.2024
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

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