

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M-7697-2024 (O&M)
Date of Decision:- 05.03.2024

DEEPAK RATHI ALIAS RAMAN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Anil Kumar Malik, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY, J. (ORAL)

1. Status report dated 04.03.2024 filed in the form of an affidavit of Deputy Superintendent of Police, (Siwani), Bhiwani, Haryana, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Heard
3. By way of present petition filed under Section 438 Cr.P.C., the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
487	01.09.2023	406, 420, 467, 468, 471, 120-B, 201 IPC	Tosham, District Bhiwani

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case

and has no concern whatsoever with the alleged transaction. He submits that the petitioner has neither demanded any money nor has he received the same from the complainant party and as such prayed for grant of anticipatory bail.

5. On the other hand, learned State counsel while referring the status report dated 04.03.2024 (*supra*), submits that petitioner along with other co-accused had duped innocent citizens on the pretext of providing them job and in turn had taken more than 20 lakhs from them. He submits that the petitioner had received an amount of Rs.3 lakhs on 28.08.2021 and there are two more criminal cases of similar nature registered against him and thus prayed for dismissal of bail petition.

6. After considering the respective arguments and perusing the record, it transpires that the FIR was registered by the complainant stating therein that one Karambir Yadav claimed himself to be close to one Vishnu Chauhan, who used to provide back-door entry in PWD Department and Guru Jambheshwar University, Hisar. On his assurance, the complainant gave him Rs.7,20,000/- for getting a job in PWD Department or Guru Jambheshwar University, Hisar for himself and his wife along with requisite documents. Thereafter, another sum of Rs.6,50,000/- was paid in the account of Vishnu Chauhan and other co-accused including the petitioner. His co-villager Rampal had also paid Rs.7 lakhs in account of abovesaid persons. Thereafter, co-accused Aakash Dhiman and Vishnu Chauhan were arrested in this case and on their disclosure statements, the present petitioner was nominated. A perusal of the FIR further reveals that on the asking of Vishnu Chauhan, some of the amount had also been transferred in the account of the

petitioner by the complainant and Rampal. During the course of arguments, learned counsel for the petitioner could not explain as to how and why the amount was transferred by these persons in the account of the petitioner. Exhaustive reply has been filed by the State mentioning specific role played by the petitioner and also the fact of amount having been transferred in the account of the petitioner by complainant as well as victim Rampal. It is also worth mentioning that 2 more criminal cases i.e. FIR No.143 dated 13.03.2022 and FIR No.302 dated 01.09.2023 have also been registered against the petitioner for similar offences.

7. Therefore, keeping in view the nature and gravity of offence, the custodial interrogation of petitioner is required and it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

05.03.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No