

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10065-2024

Date of Decision: February 26, 2024

MOTI LAL

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. R.K. Dhiman, Advocate for the petitioner.
Mr. Chetan Sharma, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of the present petition filed under Section 438 of CrPC, prayer has been made for grant of anticipatory bail to the petitioner in case bearing FIR No.0269 dated 03.09.2023 registered under Sections 406 and 420 of IPC & Section 24 of Immigration Act, at P.S. Barara, District Ambala wherein, the petitioner has been implicated with the allegation of having defrauded the complainant for a sum of Rs.15,00,000/- and providing him a fake Canadian Visa.

2. The prayer made herein has been vehemently opposed at the instance of learned State counsel while submitting that the petitioner is a habitual offender who is involved in five more cases of similar nature and the present one being the sixth case against him.

3. I have heard learned counsel for the parties and gone through the paper-book.

4. In the present case, there are serious allegations against the petitioner who defrauded the complainant for a huge amount and provided him a fake Canadian visa. The petitioner is involved in five more cases with the following details:-

- “1. FIR No. 236 dated 23.06.2023 u/s 406, 420, 506 of IPC Police Station Mullana, District Ambala;
- (2) FIR No. 98 dated 02.05.2023 under sections 406, 420, 120-B of IPC, section 10, 24 of Immigration Act, Police Station Ismailabad, District Kurukshetra;
- (3) FIR No. 114 dated 13.04.2023 under sections 420, 406 of IPC Police Station Barara, District Ambala;
- (4) FIR No. 02 dated 03.01.2024 under sections 406, 420 of IPC Police Station Barara, District Ambala and
- (5) FIR No. 618 of 2023 under sections 406, 420 of IPC Police Station Naraingarh, District Ambala”

5. Considering the antecedents of the petitioner as well as the nature of allegations, his custodial interrogation would be necessary as he has defrauded number of persons by committing the same offence and as such in the humble opinion of this Court, he does not deserve the concession of anticipatory bail.

6. In view of the aforesaid, the present petition stands dismissed.

26.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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