



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

CRM-M-22482-2024 (O&M)
Date of decision: May 06, 2024

VISHAL KHANNA

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Deepak Kumar Mehta, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.102 dated 20.03.2024 under Sections 406, 409 of the Indian Penal Code, 1860, registered at Police Station Ambala City, District Ambala.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the present case for allegedly duping the complainant of gold ornaments weighing 55 gms 20 mgs. While drawing the attention of this Court to the FIR in question, which has been annexed as Annexure P-1, it has been submitted by the learned counsel for the petitioner that a highly improbable version has been brought forth against the petitioner that gold ornaments had been handed over to the petitioner on the assurance given by one Kartik Mete. Learned counsel has also submitted that the complainant has a history of filing false complaints against the petitioner. Learned counsel submits that in view of his false implication in the present case, his custodial interrogation would not be required, however, he was still

willing to join investigation and cooperate with the investigating agency.



3. Notice of motion.

4. On the asking of the Court, Ms. Trishanjali Sharma, Deputy Advocate General, Haryana accepts notice on behalf of the respondent-State.

5. Learned State counsel, on instructions, has submitted that there are specific allegations against the petitioner of duping the complainant of gold ornaments; the allegations levelled against the petitioner find due corroboration from the CCTV camera, which was installed in the shop of the complainant, wherein the petitioner could be seen coming to the shop of the complainant along with Kartik Mete and thereafter, leaving the shop along with gold ornaments belonging to the complainant.

6. Learned State counsel, on further instructions, has apprised the Court that the petitioner is a man of criminal antecedents and has been involved in a number of other criminal cases of cheating. Besides his involvement in 3 other criminal cases, there are a number of complaint cases pending against him under the Negotiable Instruments Act, 1881. A prayer has been thus made by the learned State counsel for dismissal of the instant petition as the custodial interrogation of the petitioner is required in the instant case.

7. I have heard learned counsel for the parties and perused the relevant material placed on record.

8. *Prima facie*, there are specific allegations against the petitioner of duping the complainant of his gold ornaments; the petitioner committed the crime in question while he was on bail in the other 3 previously instituted criminal cases against him.

9. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.



- 10. The petition stands dismissed.
- 11. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 06, 2024

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No