



103 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-31897-2024
Date of decision: 08.07.2024

Rajesh Kumar

Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Deepak Nayyar, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

Ms. Inderjit Kaur, Advocate
for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

This is second petition under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.0105 dated 08.05.2024 under Sections 406/420/376/201 of IPC registered at Police Station City Jagraon, District Ludhiana Rural.

Learned counsel for the petitioner *inter alia* contends that FIR (*supra*) was registered after a delay of 10 years. The prosecutrix/complainant is habitual of making similar complaints in order to extract money and he relies upon Annexure P-5 vide which the complaint filed by the prosecutrix against one Iqbal Singh, was dismissed by the learned Judicial Magistrate 1st Class, Jagraon. He further submits that the petitioner has been falsely implicated in the present case as a counter-blast to the civil suit filed by the petitioner against the complainant/prosecutrix.

Per contra, the learned State counsel assisted by Ms. Inderjit Kaur,

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Advocate for the complainant, submits that the petitioner has duped the prosecutrix and Rs.15 lakh has been transferred into the account of the petitioner. During the investigation, it has further been found that by utilizing funds of the prosecutrix/complainant, the petitioner has purchased the property in the name of his daughter and the civil suit has been filed to create defence which is a suit of damages simplicitor and the petitioner has been using the debit card of the complainant/prosecutrix without her consent apart from physically exploiting her. Moreover, during the investigation, the petitioner has admitted on having money transaction and he has also taken an amount of Rs.4 lakh from one of the relatives of the prosecutrix from England.

In view of the above, the present petition is dismissed being devoid of any merit.

(HARPREET SINGH BRAR)
JUDGE

08.07.2024*Neha*

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No