

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

101 (PROCEEDINGS THROUGH HYBRID MODE)

2024:PHHC:016698

CRM-M-44761-2023

Date of decision: February 7th, 2024

Vinod Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bhuwan Vats, Advocate
for the petitioner. (Through V.C.)

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

Mr. Sanjiv Kumar Yadav, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.187 dated 01.04.2023 under Sections 420/406/506 of the IPC registered at Police Station Ambala Cantt.

2. Learned counsel for the petitioner, *inter alia*, contends that on account of some differences, the complainant has got lodged the FIR in question against the petitioner; both the parties are closely related and hence, it cannot be digested that the complainant would have gone ahead and given a huge sum of money to the petitioner on an assurance that his wife would be provided with a Government job. Learned counsel further submits that it is essentially a civil dispute between close relatives, which is being given a criminal complexion.

3. On a pointed query put to learned counsel as to whether the petitioner has any criminal antecedents, he has replied in the negative.

4. Notice of motion.

5. Learned counsel for the complainant has submitted that the petitioner and the co-accused lured the complainant to give an amount of ₹10 lakh out of which ₹8 lakh was deposited by way of cheque in the account of the petitioner on the assurance given by the petitioner that he would procure a Government job for his wife. When the petitioner and the co-accused failed to fulfill their assurance, the complainant demanded the return of the amount. However, upon doing so, he was threatened with dire consequences. Eventually, only a sum of ₹50,000/- was deposited by the petitioner into the bank account of the complainant. Learned counsel appearing for the complainant has further submitted that the petitioner has been duping his other relatives also; a complaint under Section 138 of The Negotiable Instruments Act has been filed against him by another relative, who too had been similarly duped by him, and which fact, has been withheld from this Court.

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

7. *Prima facie*, there are serious allegations levelled against the petitioner in the FIR which also find corroboration from deposit of money made by the complainant in the bank account of the petitioner. In the facts and circumstances, the petitioner does not deserve the extraordinary concession of anticipatory bail.

8. The instant petition, therefore, stands dismissed.

9. 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.

February 7th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No