

**IN THE COURT OF SH. SANDEEP S. JOSSAN (PB0150)
ADDITIONAL SESSIONS JUDGE, FAZILKA.**

**BA No.1575 of 26.10.2018
CNR No.PBFZC0-004699-2018
Decided on :- 01.02.2019**

Hans Raj, Aged 50 years, son of Hazri Ram, resident of village
Panjawa Mandal, Tehsil Abohar, District Fazilka.

. . . Applicant/accused.

Versus

State of Punjab.

. . . Respondent.

FIR No. 134 of 26.12.2017.
Under Section: - 420/120-B IPC
PS: Bahav Wala.

Bail application U/s 438 Cr.P.C.

Present: Sh. Rakesh Bhateja , Cl. for the accused/applicant.
Addl.PP for the State.

ORDER

1. This order disposes off bail application of accused described in detail herein above. Accusation leading to the registration of this FIR is that accused induced complainant party to deliver Rs.6,00,000/- in toto for managing a job in B.S.F. as Constable but later on accused did not do so and not even returned the money back.

2. It is alleged on behalf of accused that custodial interrogation of the accused is not necessary as such accused be granted pre - arrest bail, defence counsel further argued that applicant has not committed any offence. The allegations are false and fabricated. The accused had put forth his version and satisfied the complainant regarding his involvement and thereafter, by the intervention of panchayat a compromise was effected between complainant and accused.

3. Application has been opposed by the State.

4. I have heard counsel for the applicant/accused and Addl. PP for the State besides going through the record.

5. Ld. Counsel for the accused contends that custodial interrogation of the accused is not necessary as such accused be granted pre - arrest bail, where as this request is opposed by the Addl.PP for the State to submit that the accused has committed an serious offence which requires a thorough investigation, as such the custodial interrogation of the accused is very much necessary to unfold the entire story.

6. After hearing the rival contentions I find that the allegations against the accused are very serious as accused induced the

complainant party to deliver Rs. 6,00,000/- in toto for managing a job in B.S.F. as Constable but later on accused did not do so and not even returned the money back. So custodial interrogation of accused is required to find out the modus operandi. In case custodial interrogation of the accused is denied to the investigation agency that shall adversely affect the investigation which is uncalled for, under the circumstances I do not find any merit in the application accordingly same stands dismissed.

Before parting with this order. Let it be clear that all said and observed herein before is only for the purpose of deciding the application in hand shall not have any effect upon the merits or ultimate out come of the case.

File to be consigned to the record room.

-Sd/-

Pronounced. Dated: - 01.02.2019	Sandeep S. Jossan PB0150 Additional Sessions Judge, Fazilka.
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typed by Sunil Kumar,
Stenographer Gr-1