

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

**Crl. Misc. No.M-11048 of 2015 (O&M)
Date of decision : 29.06.2015**

Parma Nand

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Harsh Aggarwal, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

ANITA CHAUDHRY, J.(ORAL)

CRM No.19644 of 2015

For the reasons set out in the application, same is
allowed as prayed for.

CRM-M-11048 of 2015

Heard.

The FIR in this case was registered at the instance of State Bank of India who had received a cheque over Rs.40 lacs issued by New Delhi Municipal Council. Since the cheque was of high value, the same was sent to the drawer of the cheque to inquire whether the cheque has been issued. NDMC informed SBI that they had issued a cheque with similar cheque number but it was only for Re.1/- and in favour of Land and Development Officer. Since there was an attempt of forgery, the

matter was forwarded for legal action to ICICI Bank. It was found that the account in which the cheque was deposited was held by Parma Nand, petitioner.

The counsel for the petitioner contends that the Court below had dismissed his prayer for anticipatory bail noting that there were transactions of more than 1 crore in his account for which custodial interrogation was necessary. He urges that there was an agreement dated 02.02.2015 (Annexure P-4) and he was dealing in the stock market and the amount was transferred and since his account has been sealed, he is unable to get the statement of account and explain how the deposits were made. He states that he had also approached the police for holding an inquiry which is pending and he is ready to join the investigation.

The State counsel opposes the prayer and states that the cheque has been forged and the original cheque is available in their record and also the cheque which was presented for encashment in the account of the petitioner bearing the same serial number. He states that custodial interrogation is necessary to unearth the fraud and the nexus and the modus operandi which can only be unearthed on a sustained interrogation.

The allegations made against the petitioner are serious. Custodial interrogation is necessary to unearth the fraud and number of people involved and the manner in which the document was prepared. The protective shield of

anticipatory bail cannot be extended to the petitioner. No case for anticipatory bail is made out.

The petition is dismissed.

29.06.2015
sunil

(ANITA CHAUDHRY)
JUDGE