

In the High Court of Punjab and Haryana at Chandigarh

CRM M-13372 of 2015
Date of Decision: April 27, 2015

Sweety and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioners.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in case FIR No. 50, dated 27.03.2015, under Sections 420/120-B IPC, registered at Police Station Sadar Amritsar, District Amritsar City.

Learned counsel for the petitioners contends that only petitioner no.1 – Sweety had secured a loan of Rs. 3,40,000/- from the complainant and she had repaid the said amount. Learned counsel further contends that so far as the cheque is concerned, complaint under Section 138 of the Negotiable Instruments Act has already been filed by the complainant against petitioner no.1, on which she is facing trial. Learned counsel further contends that no role has been attributed to petitioner nos. 2 and 3 in the FIR nor they have any relation with the alleged occurrence.

Learned counsel further contends that this is an admitted case of the complainant that the loan amount has been taken on interest at the rate of 1% per month.

I have considered the contentions raised by learned counsel for the petitioners and perused the record.

So far as petitioner no.1 is concerned, admittedly she has taken a loan from the complainant. Thereafter, issued a cheque which has bounced. Although there are no specific allegations levelled against other petitioners, but the allegations are to the effect that Davinder Singh and others had fraudulently taken a loan and have not repaid the same. The amount received is more than Rs.18,40,000/-. Petitioner no.1 had issued a cheque which has bounced. This apparently appears to be fulfilling the ingredients of the offence alleged in the present case and allegation of conspiracy is also there against the other petitioners.

In view of this, no ground for anticipatory bail is made out.

Dismissed.

April 27, 2015
vkd

[Paramjeet Singh]
Judge