

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

CRM-M-15689 of 2015
Date of decision:18.8.2015

Rajinder Bhatia

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vaibhav Sehgal, Advocate for the petitioner.
Mr. Shilesh Gupta, Addl. Advocate General, Punjab.
Mr. Rahul Rampal, Advocate for the complainant.

Rajan Gupta, J. (oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Section 420 IPC at Police Station Division No.5, Civil Lines, District Ludhiana, vide FIR No.121 dated 02.05.2015.

Learned counsel for the petitioner submits that cheque was issued only as a security. Nothing is to be recovered from the petitioner. He, thus, deserves the concession of pre-arrest bail.

Prayer has been opposed by the learned State counsel as well as counsel appearing for the complainant. According to them, petitioner issued a cheque for Rs.5,50,000/- and deliberately affixed date on the same pertaining to the year '20015'. The said cheque was, thus, returned by the petitioner as not properly dated.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged by Gurpreet Singh. He alleged that petitioner had taken a loan of Rs.5,50,000/-, in respect of which he issued a receipt. On 17.01.2015, he issued a cheque as repayment of the loan. However, same was returned by the bank with the remarks that neither there was sufficient funds in the account nor the cheque was properly dated. Stand of the investigating agency is that cheque was deliberately dated as '20015' to make it invalid. In view of same, FIR under section 420 IPC was registered.

In view of nature of allegations, I am of the considered view that petitioner is not entitled to concession of pre-arrest bail.

Dismissed.

(RAJAN GUPTA)
JUDGE

18.8.2015
'Rajpal'