

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M- 17290 of 2015

Date of Order: 11.09.2015

Shikha Gupta

....Petitioner

Versus

State of Punjab

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sunil Chadha, Sr. Advocate with
Ms. Swati Verma, Advocate for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

JASWANT SINGH, J (ORAL)

Prayer is for grant of anticipatory bail in case FIR No.24 dated 18.3.2015 under Sections 406 and 420 IPC registered with P.S Haibowal, District Ludhiana City.

As per the allegations in the FIR, the complainant-Som Nath Kapoor is stated to have given an amount of Rs.5,88,00,000/- approximately to one Ajay Kumar Dhand, who in turn, delivered the said amount to one Naresh Gupta-MD of M/s Rama Krishna Knitters Pvt Ltd. Said Naresh Gupta is stated to have issued post dated cheques qua the debt liability of that amount. On the subsequent death of said Naresh Gupta and non-realization of the amount, the complainant-S.N. Kapoor has filed the aforesaid FIR levelling the allegations of cheating, *inter alia*, against the widow of said Naresh Gupta i.e the present petitioner.

It is contended that from the bare reading of the contents of the FIR, no offence is made out against the present petitioner. Even otherwise, the entire transaction is of civil nature and a color of criminal offence is being sought to be given by the complainant to recover his amount through the police.

Pursuant to the directions passed by this Court, Sh. Ramandeep Singh, ACP, Atam Nagar-cum-E.O Wing, Ludhiana and the I.O/ASI Baldev Singh (presently posted as DSP Headquarters, Patiala) are present in Court. It is conceded that the petitioner has joined investigation.

In view of the above, interim bail/protection granted vide order dated 25.5.2015 passed by this Court is hereby made absolute.

Petition stands disposed of.

September 11, 2015
manoj

(JASWANT SINGH)
JUDGE