

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

Crl. Misc. No.M-17714 of 2015

Date of decision : 11.12.2015

Vishal Parbhakar

.....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sandeep Wadhwa, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

Mr. P.B.S. Goraya, Advocate
for respondent no.2.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No.51 dated 08.04.2015, registered under Sections 420, 406, 506 IPC, Police Station E-Division (Kotwali) Amritsar, District Amritsar.

Counsel for the petitioner contends that the petitioner was not a travel agent and there is no material to show that he had taken any money and the compromise deed was signed by the petitioner under police pressure and the complainant is already pursuing his remedies and had filed the complaint under the Negotiable Instruments Act. He further states that petitioner has joined the investigation.

The bail application is opposed by the State and the complainant side.

Counsel for the complainant has pointed out that on the undertaking given by the petitioner on 09.07.2015, interim bail was allowed subject to the condition that the cheques that were given by the petitioner would not bounce and those cheques were dishonoured. Counsel further states that the petitioner had undertaken to pay the amount in installments and they had not paid the remaining amount.

Counsel for the petitioner states that the petitioner is not in a position to pay any more amount.

The allegations made in the FIR were that the petitioner had cheated the complainant side of Rs.26 lacs. A compromise was effected whereby it was agreed that Rs.16 lacs would be paid. The amount was taken for sending some persons to Canada. The persons were not sent to Canada. The complainant asked for his money back. The cheques which were given by the petitioner have bounced.

The State Counsel has informed that there are four more FIRs with similar allegations and he has not joined the investigation.

In the light of the above, no case for anticipatory bail is made out. The petition is dismissed.

11.12.2015
sunil

(ANITA CHAUDHRY)
JUDGE