

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-24151 of 2015
Date of decision : 10.08.2015

Roop Singh

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. S.K. Arora, Advocate
for the petitioner**

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

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 85 dated 19.05.2015 registered at Police Station Ghall Khurd, District Ferozepur under Sections 420/120-B IPC.

The allegations against the petitioner are that he and Jasvir Singh cheated the complainant for a sum of Rs. 1,50,000/- which they had taken for getting an appointment in the police department. A cheque from the account of the petitioner was issued.

Learned counsel for the petitioner urges that the petitioner is a taxi driver and the cheque was lying in the vehicle and the complainant took the cheque when the driver had gone out to answer the call of nature. It was urged that the cheque was signed by the name of Jagdeep Singh though the account stands in the name of Roop Singh.

The story put forward by the petitioner is that a stolen

cheque had been utilized by the complainant to frame him appears to be strange. There are allegations of cheating. The cheque book was issued to the petitioner. The same was signed in the name of Jagdeep Singh and handed over to the complainant. The petitioner has been unable to explain how the cheque came in the hands of the complainant.

Section 438 Cr.P.C. is an extra ordinary remedy and protection can be granted considering the material and the facts of a given case. The allegations against the petitioner are grave. Custodial interrogation is necessary. It would be difficult to carry out the investigation and it is necessary to curtail his freedom to enable the Investigators to proceed. No fetters can be placed upon the Investigators.

The petition is dismissed.

August 10, 2015

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**(ANITA CHAUDHRY)
JUDGE**