

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc.-M No. 24464 of 2015
Date of Decision: 13.8.2015.**

Manish Batra

.....Petitioner

Versus

Union Territory, Chandigarh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Rakesh Mohan Jain, Advocate
for the petitioners.

Mr. A.S.Sullar, Advocate
for the respondent-U.T., Chandigarh.

SABINA, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No. 03 dated 6.1.2015 under Section 420 of the Indian Penal Code, 1860, registered at Police Station Sector-17, Chandigarh.

While issuing notice of motion, following order was passed by this Court on 28.7.2015:-

“Learned counsel for the petitioner submits that the petitioner is ready to deposit a sum of Rs.5 lacs out of the balance amount he owes to the complainant on account of the sale transaction which could not mature.

Notice of motion for 13.8.2015.

Meantime, the petitioner will join investigation. In case of his arrest, he shall be enlarged on interim anticipatory

bail by the Arresting Officer subject to the following conditions:-

- 1) that he shall make himself available for interrogation by a police officer as and when required;*
- 2) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and ;*
- 3) that he shall not leave India without the prior permission of the Court.*

Petitioner will deposit the sum of Rs.5 lacs with learned Illaqa Magistrate well before the next date of hearing. The amount will be kept deposited in some beneficial scheme of fixed deposit with a nationalized bank and will be disbursed only under the orders of this Court.”

Learned counsel for the Administration, who is assisted by Assistant Sub Inspector Shiv Charan, has submitted that the petitioner has failed to join investigation. In fact, petitioner is involved in another criminal case also regarding commission of similar offence. Learned counsel has further submitted that petitioner had cheated the complainant for about a sum of ₹ 16,00,000/-. Petitioner was neither owner of the property in question nor he was in possession of any general power of attorney executed by the owner in his favour.

Keeping in view the submissions made by the learned counsel for the Administration, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

**(SABINA)
JUDGE**

**August 13, 2015
Gurpreet**