

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

CRM-M-29155 of 2015.
Decided on:-16.09.2015.

Rajesh Goyal.

.....Petitioner.

Versus

The State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Vaibhav Sehgal, Advocate
for the complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in a pending trial in case FIR No.93 dated 6.4.2013 under Sections 420/120-B IPC registered at Police Station Division No.7 (Vardhman), District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has never taken the alleged amount from the complainant, but has falsely been implicated in the aforesaid FIR. He submits that the complainant was already in touch with the company and was an investor in the company at his

own level.

Learned counsel for the petitioner further relies upon order dated 3.8.2015 passed in CRM-M No.25381 of 2015 titled as “Parveen Goyal Versus The State of Punjab” to contend that Parveen Goyal who is the wife of the petitioner has been granted interim bail by this Court, and notice of motion for 8.10.2015 has been issued in the case.

On the other hand, Mr. Vaibhav Sehgal Advocate has put in appearance on behalf of the complainant and submits that the petitioner has taken Rs.34.75 lacs by projecting himself as Director of the company, namely, Uniply-2U and by assuring to double the invested money within 10 months and monthly return of 23%.

Learned counsel for the complainant has produced a photocopy of three different cheques issued by the petitioner in the name of the complainant for an amount of Rs.45 lacs for payment to the complainant and submitted that by issuing three cheques, the liability of the petitioner is established.

Learned counsel for the State, on instructions of ASI Harbhajan Singh, submits that the petitioner is the main accused and has taken the aforesaid amount of Rs.34.75 lacs by projecting a Director of the company and by assuring return of amount as double the amount.

Heard.

Considering the fact that the petitioner has issued three different

cheques dated 15.4.2013, the prima-facie liability of the petitioner is established and, therefore, contention of learned counsel for the petitioner that the petitioner is not involved in the case runs contrary to the record. The complainant has paid the aforesaid amount to the petitioner who is stated to be the main accused in the case. The plea that co-accused Parveen Goyal, who is wife of the petitioner, has been granted interim bail by this Court, is not maintainable because she was granted the relief in the circumstances when the factum of issuance of cheques which leads to admission of outstanding amount was not in the notice of this Court.

In view of the above, I find no reason to grant regular bail to the petitioner and as such, the present petition, being devoid of any merit, is dismissed.

However, it is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

September 16, 2015
'Yag Dutt'

(HARI PAL VERMA)
JUDGE