

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

CRM-M-31245-2015

Date of decision: October 30, 2015

Rajan Singhal

...Petitioner

Versus

State of U.T.

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. K.P.S. Dhillon, Advocate for the petitioner.

Mr. Parveen Chauhan, Advocate for

Mr. Gagandeep S. Wasu, Advocate for U.T. Chandigarh.

Rajan Gupta, J.(oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Section 420 IPC at Police Station Sector 19, Chandigarh, vide FIR No.157 dated 23.08.2012.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. He submits that allegations in the FIR are civil in nature and do not disclose commission of any offence. Thus, petitioner deserves concession of pre-arrest bail.

Prayer has been opposed by the counsel appearing on behalf of the State. He submit that the petitioner did not return the amount of Rs.8.00 lacs taken from the complainant. He issued a cheque which was dishonoured with the remarks that account had been closed. Therefore, petitioner is not entitled to concession of pre-arrest bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the complaint made by Sumit Batra wherein he stated that he is running business of sub broker in the name and style of M/s R.K. Global at Shop No.128, First Floor, Library Road, Azad Market, Delhi. Petitioner was also doing same business. He required services of sub broker. Complainant paid Rs.8.00 to the petitioner on his request for business purposes. Petitioner assured that he would return the said amount within three months. When complainant requested him to return his amount back, petitioner issued a cheque dated 26.2.2012, which was dishonoured vide memo dated 1.3.2012 with the remarks "Account closed".

Keeping in view the allegations against the petitioner, I am of the considered view that he is not entitled to concession of pre-arrest bail. He has grabbed a huge amount of the complainant. Custodial interrogation of the petitioner may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

October 30, 2015
'Rajpal'