

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

CRM-M No.33133 of 2015 (O&M)

Date of Decision: 09.12.2015

Narinder Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State along with ASI Manjeet Lal.

Mr. Abhinav Gupta, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

The prayer is for grant of anticipatory bail in case FIR No.145 dated 02.09.2015, under Sections 420, 465, 467, 468, 471, 511 and 120-B of the Indian Penal Code, registered with Police Station City SBS Nagar, District SBS Nagar.

Allegation against the petitioner is that he has forged a cheque No.032717 dated 30.6.2015 for a sum of Rs.98 lacs allegedly issued by Puneet Kalsi, partner of M/s Kalsi Metal Works Pvt. Ltd. and presented the same in HDFC Bank, Nawan Shahar for realisation. The said cheque is asserted to have been actually issued to one M/s SKF India Ltd., who is stated to have not received the same.

It is contended that the cheque was issued towards part payment of the sale consideration pursuant to an agreement to sell. Upon the cheque being

dishonoured, a legal notice was issued and thereafter complaint under Section 138 of the Negotiable Instruments Act, 1881 has been filed. The said FIR is stated to be a counter blast to the same.

Learned State Counsel, on instructions from ASI Manjeet Lal, submits that as per the version put up by the HDFC Bank, it has been clearly stated that the cheque in question does not match with the stationery issued by the Bank i.e. it is not from the cheque book issued by the Bank to the complainant. He further submits that the investigation cannot proceed till the custodial interrogation of the petitioner is conducted to elicit the source from where he had got the original cheque issued in the name of M/s SKF India Ltd., which then was forged.

After hearing learned Counsel for the parties and examining the material on record, it is apparent that chain of the investigation cannot be completed till the custodial interrogation of the petitioner is conducted.

Accordingly, the present petition stands dismissed.

December 09, 2015
Gagan

(JASWANT SINGH)
JUDGE