

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37122 of 2015 (O&M)

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Date of decision:9.12.2015

Sachin Nagpal

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

Mr. Vishal Malik, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.1238 dated 8.9.2015 registered for
the offences under Sections 420 and 406 IPC at Police Station City Panipat,
District Panipat.

Notice of motion has been issued in this case.

Mr. Anmol Malik, learned Assistant Advocate General, Haryana
has put in appearance on behalf of the respondent-State and Mr. Vishal
Malik, learned Advocate has appeared on behalf of the complainant and
contested this petition.

I have heard learned counsel for the parties and have gone

through the record.

From the record, I find that in the present case FIR has been registered on the basis of application given against accused Sachin Nagpal and Narender Gupta partners of M/s Ideal Impex, Delhi and other firm Sai Kirpa Industry, Delhi. It is stated that the applicant is a proprietor of S.K. Overseas, Panipat and deals in Export and Import of Handloom products. In the first week of December 2013, two unknown persons came to his office and they disclosed their names as Sachin Nagpal and Narender Gupta and shown them the documents of export and import. Sachin Nagpal showed his passport and Narender Gupta showed his AP C.H.A. licence and told about their connections with higher ups and big political persons and both of them cleverly took them in their trust and they told themselves to be agent of China and gave details of working with many big-big firms in Panipat and showed them samples. Believing on these persons, the complainant side gave the cheques amounting to ₹40,40,000/- in their account by cheques as well as RTGS, but the above named accused did not own any material. It is also stated that then on 28.6.2014, they met them and made Surender Bathala and Som Nagpal as witnesses and prepared an agreement. It is stated that the total amount taken from both the firms is ₹1,37,60,000/- and above accused have cheated them by forgery.

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Keeping in view the facts and circumstances of the present case, nature and gravity of the offences and the fact that the case is at preliminary stage and there is every possibility of tampering with the evidence, I do not find it a fit case where the petitioners are entitled to grant the benefit of regular bail.

Therefore, finding no merit in this petition, the same is dismissed.

December 9, 2015.

(Inderjit Singh)
Judge

hsp