

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

CRM No.M-42664 of 2014
Date of decision: 22.09.2015

Amit Yadav

...Petitioner

Versus

State of Haryana and ors.

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J. P. Sharma, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana

Complainant present in person.

JITENDRA CHAUHAN, J. (Oral)

By way of first petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.470, dated 03.10.2013, registered under Sections 420, 467, 468, 406 and 120 of the Indian Penal Code at Police Station Manesar, District Gurgaon.

The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that the complainant voluntarily opened trading account by signing each page of the same and also issued the cheque in favour of the Edelweiss Comtrade Ltd. He has taken the benefit of the company by receiving the amount in his account.

On the other hand, the learned State counsel opposes the bail

application and submits that the petitioner has been declared proclaimed offender by the trial court vide order dated 09.09.2015. Therefore, the petitioner is not entitled for bail.

Heard.

Keeping in view the nature, the gravity of the accusation and the fact that the petitioner along with co-accused has duped the complainant by taking the amount of Rs.5,00,000/- on the pretext of issuance of insurance policy in his name, but, instead of it, they invested the same in share market without his consent on misrepresentation, no case is made out for bail.

Dismissed.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

22.09.2015

ashok

(JITENDRA CHAUHAN)
JUDGE