

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

CRM-M-4525-2015

Date of decision: 01.10.2015

Bhushan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Gaurav Sharma, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

**Rajan Gupta, J.**

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 420 and 406 IPC at Police Station City Sangrur, District Sangrur, vide FIR No.22 dated 15.01.2015.

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 the matter is purely civil in nature. The alleged ornaments as well as the amount were given in marriage to wife of the petitioner as *Istridhan* by complainant and other relatives. There was no question of cheating by the petitioner.

Prayer has been opposed by learned State counsel on the ground that allegations against the petitioner are serious and the petitioner does not deserve the concession of pre-arrest bail. He submits that before registration of FIR, enquiry was conducted and the allegations

made by the complainant were found to be correct. For effecting recovery of ornaments and the cash amount, custodial interrogation of the petitioner is necessary.

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

FIR was lodged by Babita Goyal wife of Lalit Kumar Goyal alleging that petitioner is son-in-law of her sister. Petitioner came to her house in the year 2012 and sought financial help of Rs.20.00 lacs stating that he was in great trouble being harassed by the Financers. Petitioner had already to pay Rs.4.00 lacs to husband of the complainant. Seeing the petitioner in trouble, complainant gave her gold jewelry worth Rs.4,45,000/- to the petitioner. After waiting for sufficient time, when husband of the complainant demanded the jewelry as well as the money back, petitioner misbehaved and manhandled him. Mother of the petitioner assured to return the same by 30.01.2013 but did not pay a single penny or the jewelry.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. He has committed a breach of trust and cheated the complainant and her husband. His custodial interrogation may be necessary for effecting recovery of jewelry as well as cash amount of the complainant. Petition is without any merit and is hereby dismissed.

**(RAJAN GUPTA)**  
**JUDGE**

01.10.2015  
'Rajpal'