

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

CRM-M No.11604 of 2016

Date of Decision:-27.05.2016

Radhey Sham.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Atul Lakhanpal, Senior Advocate assisted by
Mr. Arjun Lakhanpal, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Pardeep Kumar.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner-Radhey Shyam in case FIR No.21 dated 26.02.2016 for offences punishable under Sections 420, 465, 468, 471, 120-B of the Indian Penal Code, registered with Police Station City Mansa, District Mansa.

The FIR was lodged on a secret information that non applicants/co-accused Suresh Kumar @ Bunt, Gagandeep Singh @ Gagan, Yadwinder Singh @ Yadi, Kuldeep Singh @ Kala s/o of Hari Singh, Kuldeep Singh s/o Ajaib Singh, Sandeep Singh and Tarun Kumar had formed a Gang and used to cheat Flipkart Company by buying expensive mobiles and then seeking refund of the price by returning defective mobiles.

The name of the petitioner has surfaced on the disclosure

statement of Suresh as the one, who used to purchase the mobiles without bills from the accused party.

It is contended that taking the allegations on the face value, no offence of forgery or cheating the complainant is made out.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation and cooperated in the same.

Learned State counsel assisted by ASI Pardeep Kumar submits that although petitioner has joined investigation, however, has not disclosed his account number with the bank where the sale proceeds may have been deposited.

The non furnishing of the bank account number would not make out a case for custodial interrogation keeping in view the allegations in the FIR.

In view of the above, interim protection/pre-arrest bail granted vide order dated 04th of April, 2016 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 27, 2016
Vinay