

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

**CRM-M No.1269 of 2016 (O&M)
Date of Decision: 26.05.2016**

Devender Singh

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gaurav Mohunta and Ms. Preeti Gogna, Advocates
for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Tatbir Singh.

Mr. Jagdish Manchanda, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail on behalf of the petitioner-accused Devender Singh in case FIR No. 952 dated 08.12.2015, under Sections 420, 406, 506 of the Indian Penal Code, registered with Police Station Model Town, Panipat.

Allegations levelled by the complainant-Ankit Aneja, proprietor of Ankit Filling Station are that petitioner has not cleared outstanding amount for the diesel obtained for a sum of Rs.9,74,000/-.

By referring to bank statement (**P-2**), it is submitted that bills were duly cleared for payment through cheques on account of diesel filled in ten trucks maintained by the petitioner. Since the petitioner had closed his account with the said filling station w.e.f. October 2015, complainant has misused the security cheques in his possession by raising such demand.

It is further contended that even otherwise the dispute is of civil nature sought to be given the colour of a criminal intention.

Learned Counsel for the petitioner submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

Learned State Counsel, assisted by ASI Tatbir Singh, submits that the petitioner has joined the investigation, however, the recovery of amount of Rs.9,33,000/- is pending.

Learned Counsel for the complainant vehemently opposes the confirmation of anticipatory bail.

The recovery of the alleged amount due is not sufficient warrant custodial interrogation in the light of the civil dispute between the parties for which the proper remedy is rendition of account and recovery of money.

In view of the above, interim protection/pre-arrest bail granted by this Court, vide order dated 14.01.2016, is made absolute.

Disposed of.

May 26, 2016

Gagan

**(JASWANT SINGH)
JUDGE**