

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-15950 of 2016

Date of Decision: November 21, 2016

Sachin Katyal

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

-. -

Present:- Mr.Rajeev Sharma, Advocate
for the petitioner.

Ms. Simsi Dhir, DAG, Punjab.

Mr. C.S. Bakshi, Advocate for the complainant.

-. -

M.M.S. BEDI, J.

Petitioner seeks the concession of pre-arrest bail in a case registered on the complaint of Amandeep Singh, Director of M/s Wazir Singh Yarn Private Limited alleging that the petitioner was appointed as one of the senior employee of the Company but he in connivance with other co-accused had committed fraud with the Company and created fake customers and clients and provided material of the Company to them and while settling the accounts, the customers refused to make any payment.

During the course of investigation it transpired that the petitioner had created few fake Companies and had collected cheques from them for the material supplied but these cheques on presented were dishonoured. The petitioner also did not despite the outstanding amounts with the complainant as a result of which financial loss was caused to the Company.

Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case on account of extraneous reasons. He has referred to various transactions with number of Companies i.e. Apparels & Linens India Pvt. Limited, S.R. Handloom, Bajaj Combine, Maruti Handloom etc.

With the assistance of counsel for the complainant and the State counsel, I have gone through various transactions and the statements of the witnesses which have been recorded by the investigating agency which indicate that not only the customers of the complainant Company have been duped by the petitioner but the petitioner has created fake Companies and shown supply of the material to them but the cheques issued by them to the complainant Company were dishonoured. The investigation indicates that fake Companies had issued cheques though the supply of the material had been effected in a fraudulent manner at addresses which do not exist.

A perusal of the police file indicates that fake companies were unrolled by the petitioner as Rudra Textiles, Amritsar, Parth Fabrics, Amritsar etc. and by introducing more persons like Vinod Kapoor of Ranjit

Avenue, Puneet Kapoor, Deepak Kapoor, Lal Chand and Sons, Shree Agency and R.P. Overseas, Panipat, it was found that the material supplied in a fraudulent manner to fake parties had caused loss to the complainant. In view of said circumstances, the custodial interrogation of the petitioner in the present case is necessary for the just investigation.

Petition is dismissed. The police file retained be returned to the investigating agency.

November 21, 2016
sanjay

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.