

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

CRM-M-23111-2016 (O&M)

Date of decision : 06.09.2016

Manoj Kumar @ Kala Taneja

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Amandeep Singh Sandhu, Advocate,
for Mr. D.S. Virk, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Ramesh Kumar.

Mr. P.S. Mirpur, Advocate,
for Mr. Satbir Gill, Advocate,
for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in FIR No.918 dated 23.12.2015, registered under Sections 420 and 406 of the Indian Penal Code, (for short, 'the IPC') at Police Station City Sirsa.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the instant case. The dispute is purely of civil nature. The petitioner has refunded the entire amount taken from the complainant. In spite of that, the complainant presented two cheques issued by the petitioner as security and two complaints under Section 138 of the

Negotiable Instruments Act are pending against the petitioner before the competent Court.

On the other hand, learned counsel for the respondents have opposed the instant petition. Learned State counsel submits that the petitioner cheated the complainant to the tune of more than Rupees twenty five lacs. The complainant was promised to provide job to his son after sending him to Austria.

Heard.

The allegations against the petitioner are of receiving a huge amount from the complainant on the pretext of sending his son abroad. However, neither the son of the complainant was sent abroad nor the money has allegedly been returned. Therefore, this Court feels that it is a fit case where custodial interrogation of the petitioner would be required to know his *modus operandi*.

Keeping in view the gravity of the offence alleged to have been committed by the complainant, no case for grant of anticipatory bail is made out.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

06.09.2016
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(JITENDRA CHAUHAN)
JUDGE

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