

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

CRM-M No.24935 of 2015 (O&M)

Date of Decision: 26.05.2016

Ramesh Kumar

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vikas Thakur, Advocate for
Mr. Vivek Singla, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by H.C. Vijay Kumar.

Mr. Anterpreet Singh, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

The prayer is for grant of anticipatory bail under Section 438 Cr.P.C. to the petitioner/accused-Ramesh Kumar in case FIR No.181 dated 07.06.2015, under Sections 406, 420, 120-B of the Indian Penal Code, registered with Police Station Civil Lines, Amritsar.

It is stated that the petitioner-Ramesh Kumar deals in the business of Plywood. It is further stated that the complainant has filed the aforesaid false FIR with the allegation that the petitioner/accused Ramesh Kumar along with his son-Kunal Arora have taken a huge consignment of plywood and not made the due payments nor returned the consignment and thus he has been cheated. It is further alleged that in order to settle the matter, he has been illegally detained by the respondents i.e. police authorities and the complainant-Bharat Kapoor.

It was contended that the dispute being primarily of civil nature, no offence of cheating was made out and this Court, vide order dated 30.07.2015, had ordered the stay of arrest of the petitioner.

Subsequently, vide order dated 08.09.2015, the interim order staying the arrest of the petitioner was vacated. Thereafter, vide order dated 09.10.2015, interim protection was again granted subject to the petitioner joining investigations before the I.O.

The record bares out that since last eight months, in spite of 08 requests made in that regard, the petitioner has not joined the investigations.

Learned Counsel for the petitioner also expressed his inability to offer any explanation in that regard.

Keeping in view the conduct of the petitioner and the nature of the investigations to be completed, no case for grant of anticipatory bail to the petitioner is made out.

Accordingly, the present petition stands dismissed.

May 26, 2016
Gagan

(JASWANT SINGH)
JUDGE