

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

CRM-M-28273-2016 (O&M)

Date of decision : 06.10.2016

Vinod Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhimanyu Kalsy, Advocate,
for Mr. Surinder Singh Siao, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Parvinder Singh.

Mr. P.S. Ahluwalia, Advocate,
for the complainant.

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.210 dated 05.07.2016, registered under Section 4 of the Prize Chits & Money Circulation Schemes (Banning) Act, 1978 and Section 420 of the Indian Penal Code, at Police Station Tirpari, Distt. Patiala.

It is contended that the petitioner is a Government servant. The cheques in question were issued by his wife, Sonia Sharma. No amount was credited in the account of the petitioner. He has joined the investigation in terms of the order passed by this Court.

On the other hand, learned State counsel has opposed the

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instant petition. On instructions, she states that the petitioner is involved in as many as five cases of the similar nature registered at Patiala, Sangrur and Fatehgarh Sahib. The petitioner along with his co-accused has cheated a large number of persons at different places. The petitioner has already been arrested by the Sangrur Police in another similar FIR. Three complaints are also pending against him, two at Patiala and one at Fatehgarh Sahib.

Heard.

During the course of arguments, it has transpired that the petitioner being a Government servant, though did not sign the cheques in question but took the help of his wife, co-accused Sonia Sharma, in carrying out the illegal activities. From the facts on record, it is prame facie made out that the petitioner played an active part in the commission of crime. Apart from the present FIR, he is involved in four more criminal cases. Therefore, this Court feels that no case for grant of relief sought is made out. He has already been arrested by Sangrur Police in another FIR. The recovery is yet to be effected in the instant case.

In view of the above, this Court feels that it is a fit case where custodial interrogation would be required to unearth the truth and effect the recovery. Accordingly, the instant petition is hereby dismissed.

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

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(JITENDRA CHAUHAN)
JUDGE

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

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