

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

CRM-M-30924-2016

Date of Decision: September 14, 2016

Deepak Kapoor

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Raj Karan Singh Verka, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. Chetan Bansal, Advocate,
for the complainant.

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M.M.S. BEDI, J (Oral)

The petitioner seeks the concession of regular bail in a case registered at the instance of Anudeep Singh, complainant, alleging that the petitioner in connivance with Sachin Katyal, who was appointed as senior employee in Wazir Singh Yarns Private

Limited, had entered into a conspiracy with other co-accused and cheated the complainant-company by making fake entities and supplying goods amounting to Rs. 6,69,884/- to the petitioner, whereas the companies to which the goods were supplied, never cleared the outstanding amounts and because of that the complainant-company suffered huge losses. The petitioner is alleged to have issued two cheques in favour of the complainant-company, which were dishonoured. A private complaint under Section 138 of the Negotiable Instruments Act, 1881, was initiated.

The petitioner has been in custody, w.e.f. 11.08.2016. The dispute appears to be regarding the recovery of amount for the goods supplied. The petitioner, in said circumstances, can be granted the concession of bail.

Learned counsel for the complainant has intervened to oppose the grant of bail to the petitioner stating that the petitioner was a proclaimed offender in proceedings under Section 138 of the Negotiable Instruments Act, 1881. The said circumstance will not in any manner prejudice the claim of the petitioner for grant of bail.

In view of the above, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail

bonds/surety bonds to the satisfaction of the Illaqa
Magistrate/Duty Magistrate, Amritsar.

(M.M.S. BEDI)
JUDGE

September 14, 2016
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No