

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

**CRM No.M-43551 of 2015 (O&M)**

**Date of Decision: 04.02.2016**

Ajay Verma

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. Chetan Bansal, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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**TEJINDER SINGH DHINDSA.J.**

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.164 dated 23.10.2015, under Sections 420, 506, 120-B IPC, registered at Police Station C Division, District Amritsar City.

While issuing notice of motion, the following order was passed by this Court on 24.12.2015:-

*“Notice of motion for 04.02.2016.*

*Meanwhile, petitioner is directed to join the investigation forthwith. However, in the event of his arrest, he shall be released on bail to the satisfaction of the arresting officer/investigating officer, subject to the following conditions:-*

- i. He shall make himself available for interrogation by a police officer as and when required;*
- ii. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;*
- iii. He shall not leave India without the previous permission of the Court.”*

In a nutshell allegations against the present petitioner and co-accused Ashu Verma are that the complainant had entrusted a sum of Rs.3 lacs to both of them as earnest money towards supply of garments. No supply was made and even the money was not returned. Further allegation is that one cheque had been issued for return of the money in question and the same was also dishonoured upon presentation.

Counsel appearing for the petitioner has contended that even though the cheque was stated to have been issued in the month of August, 2014, yet till date proceedings under the Negotiable Instruments Act have not been initiated. Further contended that till date even a recovery suit has not been filed.

Learned State counsel upon instructions from ASI Davinder Singh, Police Station C Division, Amritsar would apprise the Court that the petitioner has since joined investigation. It has also gone uncontroverted that co-accused Ashu Verma against whom there were identical allegations has been granted benefit of regular bail.

Under such circumstances, custodial interrogation of the present petitioner would not be warranted. Petition is allowed. Order dated 24.12.2015 passed by this Court is made absolute.

Disposed of.

**04.02.2016**

*hemlata*

**(TEJINDER SINGH DHINDSA)  
JUDGE**