

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

CRM-M-15047-2017 (O&M)

Date of decision: 23.05.2017

PRASHANT MENDIRATTA

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present : Dr. Anmol Rattan Sidhu, Sr. Advocate with  
Mr. Manhar S. Saini, Advocate  
for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab.

Complainant-Ashu Jain, present in person.

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**JITENDRA CHAUHAN, J. (Oral)**

By way of petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.52, dated 25.03.2017, registered under Section 420 IPC, at Police Station Phase I, Mohali.

Contentends that the present FIR was registered on 25.03.2017, whereas the petitioner had already resigned from the company on 29.09.2014. The petitioner neither signed any cheque nor returned/accepted any amount reflected in the FIR. He further states that agreement (Annexure P-9) reached between the parties was not signed by the petitioner. The petitioner is not liable for any subsequent default of the company.

On the other hand, the learned State counsel submits that the petitioner approached the complainant with the proposal to offer distributor-ship of mobile company and at the asking of the petitioner, the complainant paid Rs.40 lakh through RTGS and the agreement/MOU was signed between the parties. At this stage, the complainant states that entire amount was paid at the asking and persuasion of the petitioner. After the said amount was paid, the certificate of authorisation appointing the complainant as distributor was also issued by the company under the signature of the petitioner. The learned State counsel states that there is similar complaint against the petitioner.

Heard.

In view of the specific allegations against the petitioner and the fact that investigation is at the initial stage; MOU/agreement was signed at the asking of the petitioner; authorisation letter/certificate was also issued under the signature of the petitioner, therefore, prima facie involvement of the petitioner at this stage is made out.

Accordingly, the present petition is hereby dismissed.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

23.05.2017

*ashok*

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No