

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 18189 of 2017(O&M)

Date of decision : 13.10.2017

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Ramdev

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Navdeep Monga, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

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H. S. Madaan, J. (Oral)

This application for pre-arrest bail has been filed by the petitioner – accused in FIR No. 23 dated 14.4.2017 for offences under Sections 420/120-B IPC, registered with Police Station Bakshiwalla, District Patiala.

Briefly stated, the facts of the case as per prosecution story are that FIR in this case was registered at the instance of complainant Darshan Singh, wherein he stated that he was having good relations with Mohan Lal s/o Mani Ram and that said Mohan Lal alongwith

his wife Paramjeet Kaur and brother Ramdev, approached him for the purpose of borrowing money. He accordingly accepted their request and for discharge of their financial liability, said persons issued cheque No. 620558 dated 18.8.2016 for Rs.6,70,000/- from SB Account No. 1532. However, on presentation, the cheque was dishonoured with remarks on the memo "Account closed". On enquiry, complainant came to know that cheque book of which the cheque in question was a part, had been issued to Ramdev, brother of Mohan Lal, but with mala fide intention, Mohan Lal had signed that cheque, whereas Ramdev had intentionally given said cheque to Mohan Lal. In that way all the accused had committed fraud with him. Apprehending his arrest in this case, Ramdev had approached the Court of Sessions for grant of pre-arrest bail, but said relief was declined to him by Additional Sessions Judge, Patiala, vide order dated 19.4.2017, as such he has knocked the door of this Court craving for grant of similar relief

Notice of petition was given to the State.

I have heard counsel for the petitioner, learned State counsel, besides going through the record.

The role assigned to the petitioner is that he had handed over a cheque from the cheque book issued to him, to his brother Mohan Lal, who had signed it and then on presentation the cheque was dishonoured. The petitioner has since joined the investigation in view of the interim order dated 22.5.2017.

It is further stated that the matter has since been

compromised between the parties. Further more, keeping in view the nature of allegations, the custodial interrogation of the petitioner is not found to be necessary. Therefore, the interim bail granted to the petitioner vide order dated 22.5.2017, is made absolute subject to fulfillment of conditions under Section 438 (2) Cr.P.C.

In that way, the petition stands allowed.

(H.S. Madaan)
Judge

13.10.2017

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Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No