

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

CRM No.M-19092 of 2017 (O&M)

Date of Decision: August 02, 2017

Vimal Kapoor and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.L.M.Gulati, Advocate
for the petitioners.

Mr.Gaurav Garg Dhuriwala, Sr.DAG, Punjab
for the respondent-State.

Mr.Karanjit Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.167 dated 06.04.2017 under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Civil Lines, Amritsar

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per allegations in the FIR, the

petitioners have misused the cheques issued by the wife of the complainant,

even after taking money and defrauded the complainant and also misused the blank stamp papers and they are giving threats to the complainant.

Learned counsel for the petitioners argued that petitioners have filed complaints under Section 138 of the Negotiable Instruments Act and the matter is pending before learned Magistrate and in those cases, present complainant has been declared as proclaimed offender.

The petitioners have already joined the investigation. They are not required for custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioners are entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 25.05.2017 granting interim bail to the petitioners, is made absolute.

August 02, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No