

wheat bags supplied by all the Commission Agents of Mandi Samalkha. He is supposed to get NOC of all the Commission Agents after giving them advance cheques for the amount of purchase made from them, which are to be encashed after the amount is received from the Department. The NOC is to be submitted to the Department before receiving the amount on behalf of the commission agents. Ld. Counsel states that the petitioner had obtained the NOC from the complainant after issuing three advance cheques to him, photocopies of which are Annexure P-2. The complainant was in immediate need of money and the petitioner gave him an amount of Rs.4,35,000/- on 6.5.2016 after withdrawing the same from the same account maintained by him in the Bank as BCPA. Hence, the complainant returned one advance cheque to the petitioner.

It is argued that the amount has been withheld by the petitioner as the complainant had already taken an advance of Rs.4,35,000/- from him. It is further argued that the matter was earlier also enquired into by the Police and no substance was found in the allegations and at best, it was opined to be a civil dispute.

In these circumstances, the petition is allowed. It is ordered that the petitioner Dalbir be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Panipat.

June 23, 2017

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No