

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

**CRM-M No.26927 of 2017
Date of Decision : 01.08.2017**

Rajinder Parshad Sharma @ Rajinder Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Rahul Rampal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab
for the respondent-State.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner prays for being granted regular bail in FIR No.103, dated 23rd June, 2016 registered under Sections 420, 465, 467, 468, 471, 120-B IPC at Police Station Division No.5, District Ludhiana, in connection with which he was arrested on 16th June, 2017.

It may be mentioned that the case was started on the basis of the complaint made by the Manager of the Punjab National Bank, Branch Office Feroze Gandhi Market in Ludhiana. The allegation was that the petitioner had accompanied one Bhanu Partap, in whose account, a cheque for an amount of ₹2,23,500/- was deposited, out of which ₹1,90,000/- was withdrawn in cash, and a separate amount of ₹25,000/- was withdrawn subsequently a little later from the ATM. Afterwards, it was discovered that the cheque in question was a forged one, on account of which, proceedings were lodged against the aforesaid two persons including the petitioner.

The submission before this Court is that the cheque in question was actually received by the petitioner during the course of business from a trader based in Delhi, whose name, he has already supplied to the Police Authorities. It is verified from Column No.07 of the FIR that the name of the person ostensibly issuing the forged cheque has been noted as “Sumit Kumar”, at Serial No.3, and his address is of Delhi. It may be noted that formal FIR in the case was drawn up almost one year after the alleged illegal encashment took place. There is little material in the Case Diary to indicate if any attempts have been made to apprehend the accused No.3, whose name was revealed by the petitioner in his statement over 02 years ago, even though the same is itself more than 01 year old.

In the given circumstances, considering the long detention undergone by the petitioner, he may be released on bail to the satisfaction of the Ld. Area Magistrate, who shall be at liberty to impose any other conditions, as thought fit and appropriate.

Accordingly, this petition stands disposed off.

August 01, 2017
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No