IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-37816 of 2016 (O&M)
Date of decision: 20.01.2017

Mohit Kamboj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. R.K. Gupta, Advocate for the complainant.

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Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.120 dated 06.07.2016, registered under Sections 420, 467, 468, 120-B and 471 of IPC, at Police Station Divison No.4, Ludhiana, District Ludhiana.

It is contended that the petitioner has been falsely implicated in the instant case. The petitioner has no role in the present FIR except that he permitted the use of his account for facilitation of the amount of Rs.8,75,000/- which was to be allegedly received from the brother of co-accused, Jogi from abroad. He further states that the petitioner has neither signed the cheque in question nor presented the same for withdrawal. The cheque book of the petitioner was forged by co-accused, Jogi. The cheque

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book held by the petitioner bears the No. CTS/SB/30 whereas the cheque in question vide which the amount was withdrawn bears the No.CTS/SB/22. He submits that the transaction was carried out by co-accused, Jogi in connivance with the bank officials.

On the other hand, the learned State counsel opposes the bail application and states that the investigation qua the bank officials is still in progress.

The learned counsel for the complainant states that the crime was committed in connivance with the bank officials who encashed the cheque which was not issued by their branch.

Heard.

There are specific allegations against the petitioner that he in connivance with other co-accused had duped the public money by forging the cheques in question. The co-accused, Jatinder Jogi is still absconding. Keeping in view the nature of offence, no case for grant of regular bail, is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

Since the investigation qua bank officials is in progress, therefore, the State is directed to file status report with regard to the investigation. Post again on 28.02.2017.

20.01.2017 **(JITENDRA CHAUHAN)**
sumit.k **JUDGE**

Whether speaking/reasoned : Yes No
Whether Reportable : Yes No

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