

204

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

CRM-M-39709 of 2016

Date of decision: May 17, 2017

Ashwani Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. G.S. Dhaliwal, Advocate the petitioner.

Mrs. Rajni Gupta, Addl. AG Punjab.

Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks anticipatory bail in FIR No.185 dated 12.10.2016, under Sections 420, 120-B, 506 of Indian Penal Code, 1860, registered at Police Station Model Town, Ludhiana, District Ludhiana. This Court had made an order dated 08.11.2016 granting *ad interim* anticipatory bail to the petitioner.

Since number of opportunities have been given to the petitioner to make payment of atleast amount which is black and white, however, learned counsel for the petitioner, on instructions states that the amount was paid to Prachi Gas and Bottling Company Ltd. and therefore, the said company is responsible. In view of the admitted fact that the amount was taken by the petitioner by way of demand draft,

there is no reason why the petitioner should put the defence at this stage that he had given the money to the said company. Be that as it may, there is prima-facie case against the petitioner.

In that view of the matter, this petition for grant of anticipatory bail to the petitioner is dismissed. Interim order dated 08.11.2016 stands vacated.

(A.B. CHAUDHARI)
JUDGE

May 17, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No