

CRM-M-40888 of 2017

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

CRM-M-40888 of 2017
Date of Decision: 01.11.2017

Sanjay Sibbal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Paramjit Singh Sullar, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to petitioner Sanjay Sibbal in case FIR No.307 dated 28.09.2017 under Sections 406, 408 and 420 IPC registered at Police Station Salem Tabri, Ludhiana.

According to the prosecution, petitioner, while working as a commission agent with the complainant, by not paying the payment to the complainant after collecting the same from his customers cheated and misappropriated an amount of ₹ 20 lakh and a car make Ertiga.

Learned counsel for the petitioner *inter alia* contends that false FIR has been lodged against the petitioner, because the customers of the complainant had directly made payment to the complainant and not through the petitioner. Therefore, there was no occasion for the petitioner to misappropriate any amount.

Considering the circumstances and the fact that there are allegations of cheating and misappropriation of an amount of ₹ 20 lakh, therefore, the petitioner does not deserve the concession of anticipatory bail

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inasmuch as he is required for custodial interrogation for recovery of the cheated/misappropriated amount.

Accordingly, the petition is dismissed.

November 01, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

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