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

**CRM-M-44120-2015
Date of decision-08.03.2017**

Vishal Parbhakar

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. PBS Goraya, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.303 dated 09.09.2015, registered under Section 420 of Indian Penal Code (in short 'IPC') at Police Station Civil Lines, Amritsar City, District Amritsar.

Learned counsel for the petitioner contends that the petitioner has been been falsely implicated in the present case.

On 12.01.2017, the petitioner made a statement before this Court that he is ready and willing to pay the admitted amount of Rs.8 lakh and had undertaken to prepare a demand draft of Rs.2 lakh in favour of the complainant within a week. However, on the next date of hearing, the following order was passed:-

“Investigation officer states that the petitioner has not joined the investigation.

The lawyers have decided to abstain from work.

Post again on 08.03.2017.

Interim order to continue.

(signed)

JUDGE

January 25, 2017”

Learned counsel for the complainant states that he has not received any amount from the petitioner.

Learned State counsel opposes the bail application of the petitioner.

In brief, allegations against the petitioner are that he duped the complainant of a sum of Rs.15,35,000/- on the pretext of sending his daughters to Canada on study visa. The petitioner assured that he has deposited Rs.15 lacs in some college in Canada and demanded Rs.10 lacs more for the purpose of visa. He also handed over printed document regarding admission of complainant's daughters in the said college. When the complainant showed the relevant document to some other agent, it was revealed that the same was forged and no money has been deposited in the college. Then complainant asked the petitioner to return his money. Then petitioner issued three cheques of Rs.5 lakh each, payable at State Bank of Patiala, Putligarh in favour of complainant which were dishonoured. Thereafter, petitioner failed to return the amount.

I have heard learned counsel for the parties and have gone through the case file.

In spite of availing repeated opportunities, order dated 11.01.2016 has not been complied with and till date, no payment has been

made.

In this view of the matter, no case for grant of bail is made out.

Dismissed.

March 08, 2017

vanita

(JITENDRA CHAUHAN)
JUDGE

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