

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

CRM No.M-44684 of 2017 (O&M)
Date of Decision: November 30, 2017

Harbhajan Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sunil Chadha, Senior Advocate with
Ms.Arati Kaur, Advocate
for the petitioner.

Ms.Simranjeet Kaur, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.116 dated 17.06.2012 under Sections 406, 420 and 120-B IPC (Sections 467, 468 and 471 IPC added later on), registered at Police Station Division No.2, Ludhiana.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the FIR was got registered by Kunal Taluja, who stated that about three years back, his father entered into an

agreement in respect of a portion of Royal Industry with owner Harbhajan

Singh. Later on, owing to some dispute, they wanted to return the said agreement to Harbhajan Singh but he was passing the time by making excuses. It is also in the FIR that Harbhajan Singh gave blank signed cheque on 16.06.2012 to the father of the complainant that his loan has been passed and the company has given him a blank signed cheque of State Bank of India. Harbhajan Singh got transferred the amount of ₹5,95,00,000/- after getting filled up the cheque from the person who had come with him and out of said amount, he got transferred amount of ₹4 crores in his ICICI Bank account i.e. in the account of Royal Industries through RTGS. It is further in the FIR that complainant got suspicion when he came outside and found 10-12 persons sitting in three cars and then complainant contacted his father and told him that something wrong has been committed. When they tried to locate the company which has given the cheque, they could not find any company. As per the allegations, ₹80 lakhs was withdrawn by Harbhajan Singh out of which, ₹57 lakhs has already been recovered, as argued at the time of argument.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence that money is still to be recovered and in view of the fact that petitioner is required for custodial interrogation, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

November 30, 2017
Vgulati

(INDERJIT SINGH)
JUDGE