

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11067-2018 (O&M)
Date of Decision:-17.09.2018.

Dalbir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Gurinder Pal Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

P.B. BAJANTHRI, J. (Oral)

In this petition, petitioner has sought for anticipatory bail under the provisions of Section 438 Cr.P.C. in case FIR No.136 dated 14.10.2016 under Sections 406/420 IPC, registered at Police Station Sadar, Hoshiarpur, Punjab.

2.) Complainant has made a serious allegation against the petitioner relating to money transaction arising out of supplying spare-parts for tree pruner. In the transaction, 3 companies are involved – (i) complainant Citrus Estate Hoshiarpur, (ii) ID David Industries David and (iii) petitioner-Agri-Hi-Tech International. Transaction is with reference to supplying of spare-parts. In this regard, there was communication through e-mails among the parties including the petitioner. One of the e-mail is from “Elena Macro <industriasdavid@vandex.com>” addressed to

cehoshiarpur7@gmail.com and copy to agrihitech333@gmail.com. This is relating to furnishing certain bank accounts and other details which are stated to be fake account and communicated on 28.06.2016. The bank details are confirmed by the petitioner on 29.06.2016 to Citrus, Hoshiarpur.

3.) Learned counsel for the petitioner submitted that petitioner has no connection in respect of furnishing bank details with reference to Annexure-6 communicated by Elena Macro.

4.) On the other hand, learned State counsel submitted that the petitioner is involved in fraud played upon the complainant.

5.) Perusal of the communication of the petitioner's e-mail dated 29.06.2016 which contains the details of the bank account with reference to Annexure-6. Therefore, there is a prima facie case against the petitioner insofar as furnishing fake bank account (incorrect bank account) so as to play fraud in respect of money transaction between the David Corporation and Citrus, Hoshiarpur due to which lakhs of rupee is being remitted in an unknown person's account for which petitioner's role is also cropped up as he had furnished bank account number which alleged to be fake one. Thus, petitioner has not made out a case for anticipatory bail.

6.) Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

September 17, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.