

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17242-2018 (O&M)
Date of Decision: 01.06.2018

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. B.S. Jaswal, Advocate, for the petitioner.
Mr. J.S. Walia, Sr. DAG, Punjab,
assisted by ASI Ravinder Singh.

Amol Rattan Singh, J. (Oral)

Learned counsel for the petitioner submits that the petitioner has not been able to return the car to the complainant as it is lying with the mechanic to whom the petitioner has to pay about Rs.50,000/-.

That being so, with the allegation being that he after having purchased the car and issued a cheque to the complainant, that cheque had bounced, with the petitioner still not returning the car; though the ground taken by the petitioner was that the papers of the car had not been handed over to him, in the opinion of this Court, (for the purpose of granting/refusing anticipatory bail to the petitioner only at this stage), if the complainant has not fulfilled any part of his promise with regard to providing the papers, then the petitioner should have returned the car to the complainant, no money whatsoever shown to have been paid by the petitioner in cash to the complainant, other than the cheque that had bounced. Thus, effectively, the petitioner appears to have kept the complainants' car, without paying any money to him.

Consequently, finding no ground to entertain this petition, it is dismissed and the interim order stands vacated.

Nothing stated hereinafore or in the previous orders passed by this Court shall be construed as an observation on the actual merits of the case for or against the petitioner, which would be gone into by the investigating agency and the competent court at the appropriate stage, all observations having been made herein above only in the context of whether the petitioner is to be admitted to anticipatory bail or not.

(AMOL RATTAN SINGH)
JUDGE

01.06.2018
vcgarg/nitin

Whether reasoned/speaking: Yes
Whether reportable: Yes