

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

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**CRM-M-24080 of 2018 (O&M)
Date of Decision:- 01.06.2018**

Chaman Lal

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. S.K.Singla, Advocate for the petitioner.

P.B. BAJANTHRI, J.(ORAL)

In the present petition, petitioner seeks anticipatory bail under the provision of Section 438 Cr.P.C. in case FIR No.76 dated 25.04.2018 u/s 406, 420 IPC registered at Police Station Sadar, Patiala, District Patiala (Annexure P-1).

Learned counsel for the petitioner submitted that there were transactions between Devinder Singh, Pargat Singh, Gursewak Singh and M/s Amar Nath Raj Kumar, Commission Agent relating to sale of paddy crops. Petitioner is stated to have issued blank cheques to Vinod Kumar. Whereas partners of M/s Amar Nath Raj Kumar, Commission Agent are petitioner and Raj Kumar. Undisputedly, 3 cheques were issued for Rs.18 Lacs like Rs.3 Lacs, Rs.7 Lacs and Rs.8 Lacs respectively by the petitioner. Even though petitioner stated that all the 3 cheques were blank and it was not addressed in the name of 3 complainants. However, blank cheques were issued and handed over to Vinod Kumar. Vinod Kumar, Inturn issued cheques to the complainants. Therefore, petitioner is not held responsible

for any transaction by Raj Kumar, on the other hand M/s Amar Nath Raj Kumar, Commission Agent and complainants. It was also submitted that in respect of dishonour of cheques complainants have taken steps under Section 138 of Negotiable Instruments Act. In view of these facts and circumstances, petitioner is not entitled for anticipatory bail. It was also submitted that one of the complainant namely Devinder Singh he himself is a Commission Agent. Irrespective of the fact whether process of transaction between the petitioner and the complainants undisputedly, petitioner has issued 3 cheques in favour of the complainants. Even if petitioner had issued blank cheques to Vinod Kumar his grievance would be against Vinod Kumar. It is apparent on the face of the record that cheques were issued by the petitioner. Thus, petitioner is not entitled to anticipatory bail. Accordingly, petition stands dismissed.

01.06.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No