

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

CRM No.M-26942 of 2018 (O&M)

Date of Decision: July 06, 2018

Manohar Lal

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sarju Puri, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.49 dated 26.03.2018 under Section 420 IPC, registered at Police Station Machhiwara, District Khanna.

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

From the record, I find that FIR in the present case has been registered against present petitioner for taking ₹3 lakhs from the complainant on the pretext of providing government job and for issuing bogus cheques. As per the allegations, present petitioner was contacted through one Rozi, who asked for ₹5 lakhs for recruiting son of the complainant in the police department and ₹3 lakhs was given to him. It is also in the FIR that amount was given after getting loan from the bank. It is further in the FIR that present petitioner issued two cheques of ₹1,70,000/-

and ₹1 lakh, which were also dishonoured.

Learned counsel for the petitioner argued that no cheating is made out from the FIR. Secondly, he argued that why ₹3 lakhs would be paid to an unknown person and why the petitioner accepted less amount. He argued that, at the most, case under Section 138 of the Negotiable Instruments Act is made out.

After going through the record, I find that offence of cheating is made out. Rather, issuance of cheques by the petitioner in favour of the complainant, prima facie, supports the complainant's version.

Keeping in view the facts and circumstances of the present case, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail. The petitioner is required for custodial interrogation.

Therefore, the present petition stands dismissed.

However, nothing stated above, shall constitute my opinion on merits of the case.

July 06, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No