

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-30644-2018 (O&M)

Date of decision: 03.12.2018

Dilbagh Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. SS Thakur, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Dheeraj Mahajan, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

Photocopy of affidavit dated 15.01.2014, duly sworn-in by the petitioner placed on record by learned counsel for the complainant is taken on record. Be tagged at the appropriate place.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No. 8 dated 09.02.2015 registered under Sections 420, 467 and 468 IPC at police Station Purana Shalla, District Gurdaspur.

According to the prosecution, the petitioner and his three accomplice, namely; Gopal Singh, Sandeep Singh and Monika, duped complainant-Nirmal Singh, for around ₹ 9,00,000/- (Rupees Nine Lakhs), on false pretext of getting his son employed as Sub Inspector in Food

Corporation of India.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in the present case. He did not allure or charge any money from the complainant. He is ready to join the investigation.

On the other hand, learned State counsel assisted by learned counsel for the complainant strongly refuting the submissions of learned counsel for the petitioner contends that when the fraud committed by the petitioner and his accomplice got un-earthed, the petitioner issued a cheque of ₹ 5,00,000/- (Rupees Five Lakhs) on 28.02.2018 in favour of the complainant, which on presentation was dishonoured. Issuance of cheque by the petitioner in itself is sufficient to draw adverse inference against the petitioner. That apart, the petitioner also sworn-in affidavit dated 15.01.2014, in favour of the complainant, admitting his liability of ₹ 6,00,000/- (Rupees Six Lakhs).

Having considered the rival submissions, this Court is not inclined to grant anticipatory bail to the petitioner, inasmuch as, it is a full proof case of cheating and fraud committed by the petitioner with the complainant.

Dismissed.

December 03, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No