

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

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CRM-M-32389-2018 (O&M)
Date of Decision : 04.09.2018

Satish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Sunil Kumar Nehra, Advocate for the petitioner.
Mr. Luvinder Sofat, AAG, Punjab.
Ms. Anjali Khosla, Advocate for the complainant.

P.B. BAJANTHRI, J.(ORAL)

In the instant petition, petitioner has sought for anticipatory bail under the provision of Section 438 Cr.P.C. in case FIR No.80 dated 01.03.2017, under Sections 420/120-B IPC registered at Police Station Zirakpur, District S.A.S. Nagar, Punjab.

2. Allegations against the petitioner are that petitioner and others have cheated the complainant in respect of property deal. Learned counsel for the petitioner submitted that petitioner has no role to play in the transaction with the complainant and petitioner name which has been noted down by the police officials while investigating the matter. Further in support of anticipatory bail, he relied on order dated 04.07.2018 passed in the case titled as ***Mahender Singh versus State of Punjab and others*** (CRM-M-32107-2017).

3. Per contra, learned counsel for the State-respondent submitted that pursuant to order of this court dated 04.07.2018, SIT was constituted.

SIT formed a conclusion regarding role played by the petitioner. It was also submitted that perusal of Annexure P-2 it is evident that receipt has been issued to the complainant relating to sum of Rs.7 Lacs through RTGS and Rs.43 Lacs in cash on 09.05.2014. Learned counsel for the respondent submitted that from the inception there were transactions between the accused relating to entering into agreement.

4. Having regard to the fact that two cheques which were issued on 24.04.2014 for a sum of Rs.50 lacs in favour of Stride Infracon Private Limited is stated to have been dishonoured vide referred in agreement . On instructions of ASI Satnam Singh learned State counsel has submitted that petitioners custodial interrogation is required as he is brother of one Arun Kumar who is also indirectly involved in the transaction relating to property deal.

5. Heard the learned counsel for the parties.

6. Having regard to the fact that petitioner is involved in respect of receipt of Rs. 7 lacs and Rs. 43 lacs from the complainant vide Annexure P-2 read with SIT's latest report to the extent that petitioner's involvement and his custodial interrogation, petitioner has not made out a case for anticipatory bail. Accordingly, petition stands dismissed.

7. At this stage, learned counsel for the petitioner submitted that those cheques which were dishonoured have been settled with the concerned company (Rs. 50 Lacs only). This issue would not support the petitioner's grievance in the case.

(P.B.BAJANTHRI)
JUDGE

04.09.2018

pooja saini

Whether speaking/reasoned?

Yes/ No

Whether reportable?

Yes / No