

CRM-M-6480-2018

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

CRM-M-6480-2018 (O & M)

Date of Decision: 04.09.2018

Banarsi Lal Arora

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Simranjeet Singh, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Premjit Singh Dhaliwal, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.128 dated 16.12.2017, registered at Police Station Dhanaula, District Barnala, under Sections 420 and 409 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that FIR, in the present case, has been got registered against the present petitioner by complainant-Raj Karan Singh Bhullar. As per the allegations, the petitioner was the selling agent of complainant and goods were supplied to him and he was only to be given commission for selling those goods. As per the allegation, there is a condition in the agreement that the present petitioner will not give the skimmed milk powder on credit and if he does so, he will do as per his own responsibility and he will be responsible for the dues. As per the allegations, an amount of ₹2,02,38,639/- is still due. The cheque issued by the present petitioner for the amount of ₹1,80,00,000/- has also been bounced.

During the pendency of this petition, the petitioner has paid ₹50 lakhs to the complainant and thereafter, the matter was sent to the Mediation and Conciliation Centre of this Court as the petitioner wanted to settle the dispute, but he did not appear before the Mediation Centre.

Therefore, keeping in view the facts and circumstances of the present, I find that it is not a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Finding no merit in the present petition, the same is dismissed.

04.09.2018

parveen kumar

Note:

Whether speaking/reasoned

Whether reportable

**(INDERJIT SINGH)
JUDGE**

: Yes

: No