

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

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**CRM-M No. 3889 of 2019
Date of Decision: 15.3.2019**

Padam Singh Chauhan**.....Petitioner****v.****State of UT, Chandigarh****.....Respondent****CORAM HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present:- Mr. Arpandeeep Narula, Advocate, for the petitioner

Mr. Parveen Chauhan, Advocate, for
Mr. G.S. Wasu, AAP, UT, Chandigarh

RAMENDRA JAIN, J.

Through this petition filed under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No. 47 dated 20.3.2017, under Sections 420, 465, 468, 471 and 120B IPC, registered at Police Station Sector 26, Chandigarh.

According to the prosecution, on 13.8.2016, complainant Harish Kharbanda supplied apples to the petitioner and his co-accused Rajesh @ Prem Ji Bhai, for Rs.46,64,280/-, against which, they made payment of Rs.28,44,200/- only.

Learned counsel for the petitioner contends that the petitioner is in custody since 6.6.2018. The alleged dispute between the parties is of civil nature. The petitioner has falsely been implicated in the present case. Co-accused of the petitioner, namely, Pawan has not yet been arrested by the police for the reasons best known to it. No documentary evidence is available with the police to show the complicity of the petitioner. There is delay of 6 months

in lodging the FIR. Conclusion of appeal may take long time. No useful purpose would be served by keeping the petitioner in jail during the pendency of appeal.

On the other hand, learned State counsel vehemently opposed the bail petition.

Having given thoughtful consideration to the facts of the case and considering the seriousness of the allegations against the petitioner of cheating the complainant for a huge sum of around Rs.20 lakhs, this Court is not inclined to grant the concession of bail to the petitioner. Otherwise also, if the petitioner is released on bail, he may create hurdle in the trial and may abscond, being resident of a far away State i.e. Gujarat.

Dismissed.

(RAMENDRA JAIN)
JUDGE

15.3.2019
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No