

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18998-2019

Date of Decision: 08.05.2019

Dushyant

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Harsh Bunker, Advocate for the petitioner.

Ms. Sudeepti Sharma, Addl. AG, Punjab.

Mr. Girish Agnihotri, Senior Advocate with
Mr. Arvind Seth, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

Learned counsel for complainant-Inder Jain, has filed Vakalatnama, on his own, though he has not been impleaded as party. The same is taken on record. Office to tag the same at the appropriate place.

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case FIR No. 54 dated 02.03.2019 registered under Sections 406, 420, 465, 468, 471, 120-B IPC at Police Station Salem Tabri, District Ludhiana.

According to the prosecution, the petitioner along with his co-accused, namely; Vijender Kumar, his wife-Mona, father-in-law-Jagdish Lal and one Ashish, cheated and defrauded the complainant for around ₹ 80,00,000/-.

Learned counsel *inter alia* contends that petitioner has

falsely been implicated in the instant case, on the disclosure statement of co-accused-Jagdish Lal, which is a very weak type of evidence. He is a student of BA-IIIrd year. His career would be ruined, in case, the petitioner is not released on bail. The bank officials are yet to be arrested, in view of categorical statement of complainant that they were also involved in the commission of crime. The petitioner has only withdrawn Rs.3,90,000/-.

On the other hand, learned State counsel assisted by learned counsel for the complainant strongly opposing the submissions of learned counsel petitioner contends that in the video footage of the bank, the petitioner was found withdrawing money from the account of complainant. Therefore, it is evident that he in active participation of his co-accused defrauded the complainant for Rs.80,00,000/-.

Considering the seriousness of allegations levelled against the petitioner and his role in the commission of crime from the video footage of the bank, this Court is not inclined to grant bail to the petitioner. More so, similar petition for grant of regular bail filed by co-accused-Jagdish Lal, has also been dismissed by this Court vide order dated 06.05.2019, passed in CRM-M-17011-2019.

Dismissed.

May 08, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No