

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

**CRM-M No.27352 of 2019
Decided on: 02.07.2019**

Vishal Dhingra

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Chand Singh Rana, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Abhimanyu Singh, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner under Section 438 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.633 dated 13.05.2018, for offence punishable under Sections 406, 420, 506 of the Indian Penal Code, 1860 (in short 'IPC'), registered at Police Station City Panipat, District Panipat.

Counsel for the petitioner has submitted that as per the allegations in the FIR, the complainant is proprietor of one Sachin Fabrics and is dealing in the business of trading of blankets. It is further submitted that the complainant had given blankets to the petitioner, who is his relative vide Bill Nos.1349, 1352 and 1353 amounting to Rs.5,85,575/-, Rs.5,84,480/-, Rs.3,78,000/- and apart from this, another goods for Rs.2 lacs were given as a sample, however despite assurance the petitioner has not paid the amount and rather the petitioner through his wife has got an FIR No.60 dated 12.02.2018 registered under Section 506 IPC registered against the complainant.

Counsel for the petitioner has submitted that the FIR has been registered after much delay and the allegations pertains to the business transactions.

In reply, counsel for the State, on instructions from SI Raj Kumar, has stated that not only the complainant but some other persons in different police station have also given complaints against the petitioner of committing similar case of misappropriation and cheating.

Counsel for the complainant, on the other hand, has stated that the petitioner being a relative of the complainant had taken the goods against the bills on a promise to make the payment and thereafter, neither he has returned the blankets nor paid the amount and has, thus, committed the offence of criminal breach of trust, misappropriation and cheating.

After hearing the counsel for the parties, I find no ground to grant anticipatory bail to the petitioner. A perusal of the FIR show that the complainant has given complete details of the goods supplied through the bills on an assurance given by the petitioner, being a relative that he will make the payment, however, he neither returned the goods nor paid the amount. Even as per the Investigating Officer similar complaints are pending against the petitioner in other police station also and he seems to be a habitual person, accordingly, this petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

02.07.2019

yakub

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No