

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

222)

CRM-M-29691-2019 (O&M)

Date of Decision: 30.09.2019

Sushil Kumar Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Kartik Gupta, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab
Mr. Vikram Bali, Advocate, for the complainant.

Amol Rattan Singh, J. (Oral)

Learned State counsel, on instructions from ASI Nanak Singh, submits that as a matter of fact even one of the cheque books from which three cheques were issued, favouring the complainant or her nephew, Aman Kumar, i.e. cheque nos.210245, 210246 and 210267, (which the petitioner actually claims to have been issued 'by way of security' at the time when investment was made by the complainant, (of Rs.4 lacs), in January 2018), was issued to the petitioner by the Bank, only on June 21, 2018.

It is to be noticed that on each date the counsel for the petitioner (probably on instructions), has been giving different stories, or has been relying on the fact that the cheques that were dishonoured were issued only by way of security in respect of the investment allegedly made by the complainant (as per the petitioner), in the firm of the petitioner, (which he has submitted is a licensed firm to take investments and for providing loans to various persons).

The aforesaid story of cheques issued by way of security to secure that investment, obviously having been found to be completely false, with the cheque book itself having been issued only in June 2018 (as per the investigating agency), I see absolutely no reason to continue with the present petition.

Consequently, the petition is dismissed, with the interim order vacated.

However, nothing stated herein above shall be taken to be an observation of this court on the merits of the case, for or against the petitioner, but only in the context of a petition seeking anticipatory bail.

(AMOL RATTAN SINGH)
JUDGE

30.09.2019
vcgarg/dinesh

Whether reasoned/speaking: Yes
Whether reportable: No