

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46351-2019

Date of Decision: 17.12.2019

Baljinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. H.S. Batth, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

Mr. Gitish Bhardwaj, Advocate, for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, filed under the provisions of Section 438 of the Cr.P.C., the petitioner seeks to be admitted to anticipatory bail upon FIR no.0114 dated 13.07.2019 having been registered at Police Station Fatehgarh Sahib, alleging therein the commission of an offence punishable under Section 420 of the IPC.

The allegation against the petitioner, as per the FIR, is that the petitioner being an employee of the Punjab State Power Corporation Limited, had, on the promise of getting the complainants' daughter employed, taken Rs.9.5 lacs in the year 2015-16 and even though he gave cheques for the said amount later, those cheques were dishonoured.

On 31.10.2019, when the petition had initially come up for hearing, learned counsel for the petitioner had pointed out to what is stated to be a copy of

the affidavit executed by one Sultan Singh (stated to be the son-in-law of the complainant), with it stated therein that Sultan Singh, through his brother-in-law Gurdeep Singh, would get the petitioners' son admission for studies abroad, after which he would be able to obtain visas of 26 countries.

Learned counsel for the petitioner had therefore stated that actually because thereafter the petitioners' son could not be sent abroad by Sultan Singh, the FIR was got registered by 'reversing the situation', thereby projecting the petitioner to be the accused.

Notice of motion having been issued, with interim protection granted to the petitioner, to the effect that upon joining investigation if he was sought to be arrested he would be admitted to interim bail, thereafter, with the learned counsel for the State and the complainant having put in appearance, Mr. Gitish Bhardwaj, learned counsel for the complainant, has produced in court some papers, stated to have been given by the complainants' son-in-law, Sultan Singh, and her daughter Sandeep Kaur, to the petitioner, which are seen to be blank stamp papers, carrying what is stated to be the serial number and date of purchase thereof, as also the signatures of Sultan Singh and Sandeep Kaur at the bottom of the pages.

The contention is that actually the said papers had been obtained from Sultan Singh and Sandeep Kaur on the pretext that they were to be used for the purpose of obtaining a job for Sandeep Kaur, but with them actually having been misused, and the affidavit, Annexure P-2, having been instead got typed out on them (they being pre-signed blank papers).

Upon the above having been put to the learned counsel for the petitioner, he submits that the stamp papers were not blank and have only been projected to be so.

However, with the learned State counsel also submitting that the

papers have been found to be misused by the petitioner, with the source of misuse etc. to be verified by the investigating officer, I see no reason to continue with the petition, which is consequently dismissed, without making any comment on the actual merits of the case. The interim order passed stands vacated.

December 17, 2019
vcgarg/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.