

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM M-17653 of 2020 (O&M)
Date of Decision: July 09, 2020**

Hemant KumarPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr.Sukhbir Maandi, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Akash Yadav, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Pawan Sharda, Sr. DAG, Punjab puts in appearance on behalf of the State on his own and accepts notice. Let copy of the paper book be supplied to him.

Petitioner Hemant Kumar who is accused in case bearing FIR No. 17 dated 03.03.2020 under Sections 406, 420 and 506 of Indian Penal Code registered at Police Station

Sadar Rupnagar, District Rupnagar has come up in this first anticipatory bail application under Section 438 Cr.P.C.

The present case has been got registered by complainant Sanjeev Kumar. In the allegations, the complainant alleges that he was carrying on business of property dealer and came across the petitioner and his wife Gurpreet Kaur and who were also carrying on committee business and on their asking had been contributing towards the committees and in the process had paid Rs.20,00,000/- but thereafter as per the promise and undertaking, the accused refused to pay back the committee amount.

Mr. Sukhbir Maandi, learned counsel for the petitioner, *inter alia*, contends that the petitioner has been falsely implicated and that the allegations of committee has been fraudulently set up and there was in fact a civil dispute between the parties, which has been given tinge of criminality.

Learned State counsel Mr. Pawan Sharda, Sr. DAG, Punjab assisted by Mr. Akash Yadav, counsel for the complainant has submitted that the petitioner is habitual to commit such crime on various people also and a cheque amounting to Rs.20,00,000/- issued in the name of complainant has bounced and there are having allegations by different persons to this effect.

Going through the submissions, the petitioner

husband and principal accused Gurpreet Kaur too has been alleged to have been instrumental in running of this committee business. The mere payment of Rs.20,00,000/- through cheque which bounced is suggestive of this relationship. In the light of transaction of such type leading to nefarious activities and needs to be curbed with a heavy hand.

In view of the seriousness of the allegations, the custodial interrogation of the accused is very much essential and the petition being without merits stands dismissed.

July 09, 2020

amit rana

(FATEH DEEP SINGH)**JUDGE**

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No