

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

**CRM-M-21829 of 2020 (O&M)
DATE OF DECISION : 28.08.2020**

Prem Chand Dhiman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Paras Jagga, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Raman Mohinder, Advocate
for the complainant.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking anticipatory bail in case FIR No. 94 dated 10.06.2020, registered under Sections 406 and 420 IPC, Police Station Anaj Mandi, District Patiala. Allegations, broadly are, that he fraudulently sold a plot to the complainant; obtained the sale consideration; and gave possession of another plot; which was in fact the name of one Raj Kumar Mehta; and thus cheated the complainant. During enquiry before the police, the petitioner initially agreed to get the plot demarcated and in the alternative to return the sale consideration, but later backed out from his offer.

2. Learned counsel for the petitioner submits that though the petitioner had agreed to return the money to the complainant, but he could not arrange it since he is on the run/hiding. He submits that in case interim

protection is granted to the petitioner, he will make the arrangements and return the money.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant vehemently oppose the plea. They submit that petitioner is adopting delay tactics and *malafide* on his part is clear from the fact that during enquiry, he was given ample time to return the money, which he did not. Learned State counsel submits that two more cases of similar nature are pending against the petitioner. According to learned counsel for the complainant, in one case the petitioner has even been declared a proclaimed offender.

4. Considering the antecedents of the petitioner, he is not entitled to any protection. He seems to be a habitual offender allegedly involved in three cases of misappropriation of amount and cheating. His custodial interrogation is necessary to ascertain his *modus operandi* and to unearth the truth. In the premise, the instant petition is dismissed.

(ARUN MONGA)
JUDGE

August 28th 2020
Jiten

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No