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

CRM-M-3937 of 2021

Date of Decision: 03.03.2021

DOLLAY RAM

-Petitioner

Versus

STATE OF PUNJAB

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Amandeep Gill, Sr.DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks regular bail in case bearing FIR No.264, dated 18.06.2020, under Sections 406,420,120B IPC 1860, registered at Police Station Zirakpur, District S.A.S. Nagar, (Mohali).

As per allegations, the petitioner was known to the complainant. He is alleged to have cheated the complainant in a sum of Rs.10 lacs for which even a cheque was issued by the petitioner.

As per prosecution, the petitioner was running a

company namely Winona International MLM which is situated at Office No.316, Third Floor, Global Business Park, Zirakpur. He and his wife are running the business of networking by making members and by involving them in money investment under the pretext of making double of the amount. Petitioner assured the complainant in this manner and the complainant paid Rs.5 lacs to him on different dates. The cheque bearing No.037398 in a sum of Rs.10 lacs was submitted and the same was dishonoured on 17.10.2019. Thereafter, the complainant demanded for his money and on refusal, the FIR in question came to be registered.

Learned counsel for the petitioner submitted that in fact the petitioner wanted to start his business of selling nutrition product and for that purpose he contacted the complainant who is running a finance business. The complainant took a blank cheque as security of loan amount and thereafter filled the same in the sum of Rs.10 lacs and submitted the same for encashment. The whole amount was repaid to the complainant but dispute arose in respect of interest only. The petitioner is in custody since 24.12.2020.

Learned State counsel admits that the petitioner was arrested on 24.12.2020 and the challan has been presented on 22.02.2021 but charges have not been framed so far. The

offence is triable by the Magistrate. The trial of the case may take sometime as charges have not been framed so far.

Taking into consideration the aforesaid facts and without meaning anything on the merits of the case, the present petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

03.03.2021

Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No