

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

CRM-M-11155 of 2021 (O&M)
Date of Decision: March 10, 2021

Surendra Meena

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Bhawesh Chaudhary, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.05 dated 09.01.2021, registered under Section 420 of Indian Penal Code and Sections 66-C and 66-D of IT Act at Police Station Maqsudan, Jalandhar Rural, District Jalandhar.

2. Counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case, as the allegations as set out in the FIR are not sustainable. It is argued that the petitioner has not done any cheating with the complainant. It is submitted that the petitioner is selling carom boards through online medium on social media website and one girl named Neena Sharma contacted the petitioner through social media website and told the petitioner to purchase an old carom board. The

petitioner sent one carom board to Neena Sharma, who transferred an amount of ₹ 5000/- in the account of the petitioner. It is contended that said Neena Sharma never moved any complaint regarding any cheating etc. against the petitioner, whereas, the FIR has been got registered by one Maneesh Kohli on the false allegations of cheating.

3. Notice of motion.

4. At this stage, Ms. Samina Dhir, DAG Punjab, who is present in the court, accepts notice on behalf of the respondent-State. She would argue that the petitioner was selling the carom boards under the name and style of 'Synco Caroms', which is a registered trade mark of the complainant's company. It is contended that the petitioner has cheated one Neena Sharma to the tune of ₹ 5000/- in this fashion and is also duping other persons in the similar fashion.

5. I have heard counsel for the parties and have gone through the pleadings of the case.

6. There are serious allegations of cheating that have been levelled against the petitioner herein in the FIR. There is a statement of said Neena Sharma recorded during the course of enquiry to the effect that she was cheated by the petitioner to the tune of ₹ 5000/-. During the course of enquiry, it has come out that the petitioner was posting advertisements on social media for supply of carom boards of different company, including the trade mark of the complainant's company 'Synco Caroms', which is a registered trade mark. It is yet to be unearthed as to how many persons have been cheated by the petitioner in this fashion, apart from making the recovery of the duped amount from him. Under these circumstances, once

custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

7. In view of the above, the instant petition is hereby dismissed.

March 10, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No