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

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CRM M 21336 of 2021
Date of decision: 28.05.2021*Rajiv Sagar Mehta**.....Petitioner****Versus****State of Haryana and another**.....Respondents***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**

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In virtual CourtPresent: Mr. Akshay Jindal, Advocate
for the petitioner

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Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure for grant of pre arrest bail in complaint (case type Comi, filing No. 6082/2015 filing date 16.08.2014, case No. 99/2015 dated 16.08.2014) titled as 'Ajay Gautam vs. Rajiv Sagar Mehta and others' (Annexure P1) filed under Sections 340 Cr.P.C. with 190 (i)(a) Cr.P.C. for offences punishable under Sections 420, 467, 471, 120-B, 193 and 195 of the Indian Penal Code.

It is submitted by counsel for the petitioner that case against the petitioner is totally concocted. It is a complaint case and the petitioner has been summoned in the offences, some of which happen to be non-bailable

in nature. However, the dispute between the parties as involved in the matter; is of a civil nature; qua cheques which were given by the complainant as security cheques for payment of consideration for sale of property, which was agreed to be sold by the petitioner to the complainant. However, since the complainant was not having the requisite money, the deal in question could not be materialized. Even a civil suit was filed by the petitioner and in that also, the issue qua validity of the cheques was involved. The civil Court negated the allegations of the complainant qua the said cheques in its findings. Counsel has further submitted that, in any case, the petitioner would appear before the trial Court to face further proceedings and to avail his further remedies, in accordance with law. Hence, the petitioner deserves to be protected against his arrest.

In view of the above, the present petition is disposed of with liberty to the petitioner to appear before the trial Court on or before 04.06.2021. It is further ordered that in case the petitioner so appears before the trial court, the petitioner shall be released on bail by that Court.

(Rajbir Sehrawat)
Judge

28.05.2021
Mohan Bimbura

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