

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24329-2020 (O&M)

Date of Decision: February 18, 2021

Inderjit Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Mr. Ravi Malhotra, Advocate
for the petitioner

Mr. Ajay Pal Singh Gill, DAG Punjab

Mr. G.S. Kaura, Advocate
for the complainant**Sudhir Mittal, J. (Oral)**

The petitioner seeks anticipatory bail in FIR No.140 dated 07.10.2019 registered at Police Station Maqsudan, District Jalandhar under Sections 406, 420 IPC.

According to the FIR, the petitioner has cheated five different persons of a sum of Rs.32,50,000/-. The said amount was taken by him on the pretext of doubling the same in eight months. However, cheques issued by the petitioner were dishonored.

Argument of learned counsel for the petitioner is that the petitioner has not defrauded anybody. The complainants had advanced loans to the petitioner, which had been partially returned and, this, would be established by examination of the bank statement. Accordingly, a direction was issued to the Investigating Agency to file a status report after examining the bank statement. Status report dated 06.10.2020 is on record, according to which the allegations made in the FIR have been corroborated. It has also been mentioned that complainant Baldeesh

Kaur had submitted that apart from Rs.8,50,000/-, she had also given a loan of Rs.5 lacs to the petitioner out of which a sum of Rs.4,75,000/- had been returned. This is not sufficient to hold that the entire amount mentioned in the FIR was on account of loan transactions.

Moreover, on the last date of hearing i.e. 12.01.2021, it has been recorded that the petitioner was declared proclaimed offender vide order dated 21.12.2020. It is settled law that a proclaimed offender cannot maintain an application for grant of anticipatory bail.

For the aforementioned reasons, the petition is dismissed as being not maintainable as well as on merits.

February 18, 2021
Poonam Negi

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No