

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

262

CRWP-2223-2021

Decided on :11.07.2022

Jatin Jain

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: None for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Rajeshwar Singh Thakur, Advocate
for respondents No. 2 to 5.

None for respondent No. 6.

Mr. Amarpreet Singh, Advocate
for respondent No. 7.

VIKAS BAHL, J. (Oral)

The present Criminal Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of mandamus directing the respondents No. 1 to 3 to protect the life and liberty of the petitioner at the hands of respondent No. 6 who is alleged to have defrauded the petitioner to the tune of Rs.50 lakhs and had issued a bank cheque which was dishonored and regarding which the petitioner has filed a complaint before the Area Magistrate and with respect to which a complaint has been filed by respondents No. 4 and 5 against the present petitioner.

Learned counsel for respondents No. 4 and 5 has submitted

that in pursuance to the complaint filed by respondents No. 4 and 5 against the present petitioner, FIR No. 5 dated 03.01.2022 has been registered under Sections 420, 120-B IPC and 52(A) and 68-A of the Copyright Act, 1957 in Police Station Division No. 5, District Police Commissionerate Ludhiana and the same has been annexed as Annexure R-4/1 alongwith the reply filed by respondents No. 4 and 5. It is further submitted that the present petitioner is one of the accused in the said case.

Learned State counsel has also submitted that in the present case, the petitioner was repeatedly called during the enquiry proceedings and the petitioner had neither appeared in the complaints given by him, nor in the cross complaints given by the private respondents.

No one has appeared on behalf of the petitioner to rebut the abovesaid arguments.

Keeping in view the abovesaid facts and circumstances, and also the fact that FIR No. 5 dated 03.01.2022 under Sections 420, 120-B IPC and 52(A) and 68-A of the Copyright Act, 1957 in Police Station Division No. 5, District Police Commissionerate Ludhiana has been registered against the petitioner, the present petition is dismissed.

However, liberty is granted to the petitioner to file a fresh petition in case any cause survives.

(VIKAS BAHL)
JUDGE

July 11th,2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No