

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

224

CRM-M-32382-2021

DATE OF DECISION: 20.01.2022

LOVEPREET @GOLDI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Deepak Arora, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.47 dated 10.06.2021, under Section 420 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Ghuman Kalan, District Gurdaspur.

A coordinate Bench of this court, on 12.08.2021, had passed the following order:-

“Present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.47 dated 10.06.2021, under Section 420 IPC read with Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, Police Station Ghuman Kalan, District Gurdaspur.

As per the allegations in the FIR, the petitioner and one Balwinder Singh had received an amount of Rs. 1,50,000 (one lakh fifty thousand only) from Dilbagh Singh and another amount of Rs. 1,45,000/- (one lakh forty five thousand only) from Shamsher Singh with the promise to send them to South Africa. However, neither the complainants were sent to South Africa as promised, nor the amount was returned to the complainant. On insistence of the complainant, the petitioner issued two cheques of Rs. 50,000/- (fifty thousand only) and Rs. 1,00,000/- (one lakh only) in the name of the complainant-Dilbagh Singh, which were dishonored on presentation.

Learned counsel for the petitioner has denied the allegations against the petitioner. He states that the cheques issued to the complainant were as a security towards the loan received by the petitioner from the complainant. He states that the said amount has been repaid. However, the complainant dishonestly misused the cheques.

Learned counsel further states that with a view to show his bonafide, he is willing to deposit an amount of Rs. 1 lac with learned trial Court to be disbursed to petitioners or the complainant as per the outcome of the trial.

Notice of motion.

Ms. Bhavna Gupta, DAG, Punjab accepts notice on behalf of respondent/State.

Petitioner to deposit Rs.1 lacs with the trial Court within a period of 15 days from today.

Adjourned to 03.11.2021.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner, on 05.01.2022, had submitted that due to financial difficulty, he could not deposit a sum of Rs. 1 lakh in terms of the order dated 12.08.2021 and had sought more time to do so.

Learned counsel for the petitioner contends that he has not received any instructions from the petitioner as he is not answering his phone.

There is no material to indicate that the petitioner has complied with the order dated 12.08.2021 till date although he was required to do so within a period of 15 days from the date of the order.

Consequently, the petition stands dismissed at this stage.

(ANUPINDER SINGH GREWAL)
JUDGE

20.01.2022

SwarnjitS

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