

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

CRM-M-32782-2021 (O&M)

Date of decision: 03.03.2022

Jagbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikram Sharma, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.144 dated 14.07.2021, registered at Police Station Dirba, District Sangrur, under Sections 420 and 406 IPC.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the transaction is a business transaction between the petitioner and the complainant; that the petitioner applied for purchasing of vehicles which were recovered by the Bajaj Finance Company due to non-payment of installment; that the petitioner executed an indemnity deed with the company on 27.11.2020 and the company issued a release order of 84 motorcycles to the petitioner; that the complainant himself approached the petitioner and showed interest in purchasing some motor cycles from him and the petitioner agreed to sell 35 motorcycles @ Rs. 25500/- per motorcycle to the complainant; that the petitioner delivered 25 motorcycle along with documents and is still ready to deliver remaining 10 motorcycles to the complainant; that the dispute is that

the petitioner has also sold three cars to the complainant, but the complainant neither paid the entire amount, nor he executed any affidavit qua the purchase of the said cars and that the matter is of civil nature.

On the other hand, learned State counsel submits that on the asking of the petitioner, the complainant transferred Rs. 14 lakh in the account of Bajaj Finance Company and Rs. 6 lakh in the account of the petitioner. Total 84 motorcycles has been delivered to the petitioner and out of which only 18 motorcycles have been delivered to the complainant and thus, the petitioner has misappropriated 66 motorcycles.

I have heard the learned counsel for the parties.

There are specific and serious allegations against the petitioner. Since Rs. 14 lakh has been transferred by the complainant in the account of Bajaj Finance Company and Rs. 6 lakh in the account of the petitioner, but the petitioner has given only 18 motorcycles to the complainant and misappropriated 66 motorcycles, no ground for grant of any relief to the petitioner is made out.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

03.03.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No