

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

CRM-M No.29849 of 2022

Date of Decision: 08.08.2022

Jagjeet Singh

.....Petitioner.

Versus

State of Haryana

.....Respondent.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Chetan Kapoor, Advocate
for the petitioner.

Mr. Amrik Narwal, D.A.G, Haryana
for the respondent-State.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case arisen out of the FIR bearing No.718 dated 28.12.2021 registered at Police Station Sector 32-33, District Karnal, under Sections 406 and 420 IPC, the petitioner has preferred the instant petition to seek the relief of pre-arrest bail.

2. Bereft of unnecessary details, the allegations levelled by the informant in the subject FIR, are that a cheque worth Rs.6,95,318.58Ps, issued by the ICICI Prudential Life Insurance Company to its customer named Jagjit Singh resident of Village Bhadas, District Kapurthala towards the fore-closure amount qua his (customer's) life insurance policy, did not ever reach him. During the investigation, it was revealed that the above-said cheque had been mis-used by the petitioner by getting the amount of

the same deposited in his own bank account and by withdrawing the same later-on.

3. Status-report submitted on behalf of the respondent-State, by way of the affidavit of the Deputy Superintendent of Police, Karnal-1, along-with Annexures R-1 and R-2, is already available on the file and these documents are taken on the record.

4. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that the petitioner has been got falsely implicated in this case by one Nagender in connivance with the afore-named customer whereas in fact, after withdrawing the above-said amount from his bank account, the petitioner had handed over the same to the said customer of the insurance company and in these circumstances, he (petitioner) deserves the relief as sought in this petition.

6. Per contra, learned State counsel argues that the petitioner is the beneficiary of the entire transaction in question and keeping in view the gravity of the offence committed by him, the instant petition be dismissed.

7. A perusal of Annexure R-1, i.e the copy of the statement of the bank account of the petitioner, reveals that the afore-said amount was deposited in his bank account on 26.09.2018 by way of the clearance of the cheque issued by the above-said insurance company and thereafter, the amounts of Rs.3.70 lacs and Rs.3.14 lacs are shown therein to have been withdrawn by the petitioner through the cheques, meaning thereby that the

petitioner is the beneficiary in respect of the said amount. The contention regarding his (petitioner's) having handed over this amount to the afore-named customer, can and shall be looked into and adjudicated upon by the trial Court at the appropriate stage after appreciating and evaluating the evidence that may be led on the record during the course of the trial and the same cannot be ascertained at this stage while deciding the present bail petition. Moreover, the investigation in the present case is at the nascent stage and the possibility of the requirement of the custodial interrogation of the petitioner for the purpose of effecting the recovery of the said amount, cannot be ruled out.

8. Keeping in view the above-discussed facts and circumstances as well as the nature of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner) does not deserve the relief of pre-arrest bail. Resultantly, the petition in hand stands dismissed.

August 08, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>