

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-14526-2022 (O&M)

Date of decision : 9.2.2023

Ajay Kumar Chhabra and another

... Petitioners

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Satpreet Grewal Kapila, Advocate,
for the petitioners.

Mr. M.S.Nagra, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioners in criminal case having FIR No.0021 dated 13.3.2022 registered under Sections 420, 120-B IPC at Police Station Qadian, District Batala.

The allegations in nutshell are that the petitioner and co-accused Pardeep Kumar promised to provide job to the nephew of the complainant in Indian Railways and in that pretext, they took amount of ₹ 7.5 lakh from the complainant but thereafter, failed to provide any job and also refused to return money except ₹ 90,000/- and thereafter, failed to return the balance amount of ₹ 6.60 lakh. There are further allegations that the petitioners gave one cheque of ₹ 7.5 lakhs to the complainant but the same was dishonoured on its presentation.

Counsel for the petitioner submits that no such cheque was issued by the petitioner and even otherwise, the matter regarding dishonour

of cheque in question worth ₹ 7.5 lakh is pending in the Court of Judicial Magistrate, 1st Class as the complainant has filed complaint under Section 138 of Negotiable Instruments Act. He further submits that the petitioners have joined the investigation in compliance of order of interim bail.

State counsel on instructions from ASI Dilbagh Singh apprised the Court that indeed the petitioners have joined the investigation and are not required by the police for further investigation or custodial interrogation.

Admittedly, the Court of Judicial Magistrate, 1st Class is already seized of the matter relating to dishonour of cheque of ₹ 7.5 lakh stated to be issued by the petitioners in favour of the complainant under Section 138 of Negotiable Instruments Act.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 6.4.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

February 9, 2023
Paritosh Kumar

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