

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1765-2022
DECIDED ON: 16.01.2024

KULBIR TEWATIA
.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. R.S. Sidhu, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG Haryana.

Mr. Keshav Pratap Singh, Advocate for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., seeking cancellation of bail granted to respondent No.2 vide order dated 24.11.2021 (Annexure P-2) in FIR No.322 dated 19.12.2020, under Sections 420, 467, 468, 471, 120-B of IPC, registered at police station Sadar Palwal, District Palwal.

The instant petition has been preferred seeking cancellation of bail granted by this Court vide order dated (Annexure P-2) alleging that the statement made by the counsel for the accused-respondent No.2 therein was incorrect to the effect that the remaining amount of Rs.30,00,000/- has been returned to Shiv Narayan and Ram Rattan.

Learned counsel for the petitioner seeking cancellation of bail has been countered with the account statement placed on record by respondent No.2 namely

Anil Panwar reflecting that after April 2021 i.e., the first order passed by co-ordinate Bench of this Court on 23.04.2021 (Annexure P-4) an amount of Rs.30,00,000/- was to be paid within a period of one month. The enteries reflecting in the statement of accounts are on 01.08.2021 i.e., Rs.20,005.90/- on 02.08.2021 1,00,005.90/-, on 04.08.2021 again the same amount and of similar amount on 19.08.2021 and on 20.08.2021 80,005.90/- and 24.08.2021 50,005.90/-, which have not been controverted and disputed, but the present petition has been preferred under the garb of one cheque alleged to have been issued on 29.08.2022 in favour of Kulbir Tewatia, the present petitioner by Anil Panwar for an amount of Rs.4,50,000/-, which has nothing to do with the said transaction amounting to Rs.16,00,000/- being subject matter in that application for bail.

In the light of above, this Court is of the considered view that the undertaking given before the Single Bench at the time of concession of bail stands duly complied with and the instant petition for cancellation of bail is devoid of any merits. Hence, the same is dismissed with no order as to costs.

(SANDEEP MOUDGIL)
JUDGE

16.01.2024

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>