IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.39730 of 2023
Date of decision: 28th February, 2024

Bikkar Singh

… Petitioner

Versus

State of Haryana

… Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Narender Kaajla, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana for the respondent/State.

Mr. Fateh Saini, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.140 dated 03.07.2023 under Sections 406, 420 of the IPC registered at Police Station Sector 9, Ambala City, Ambala.

2. Learned counsel for the petitioner has reiterated that the dispute, if any, between the parties was essentially of a civil nature, which is evident from the fact that an amount of only ₹2.50 lacs had been deposited in the bank account of the petitioner and that too, which was spread over a period of two years; learned counsel submits that it was a matter of record that varying sums of small amounts out of the total amount of ₹2.50 lacs had been deposited in the bank account of the

RATTAN PAL SINGH
2024.02.29 18.45
I attest to the accuracy and
integrity of this document

petitioner. He submits that since the petitioner had family relations with the complainant, it was in that background the petitioner had been obtaining small amounts of loan from the complainant and it was not for the purpose of providing any help to the complainant in the Police Department, as had been alleged.

3. Learned State counsel, on instructions from ASI Gurdev, assisted by learned counsel appearing on behalf of the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel has submitted that it was a matter of record that the petitioner had executed an agreement dated 18.08.2022 and that too on a stamp paper, wherein he had categorically admitted to having given an undertaking to the complainant of helping him to provide job in the Police Department, otherwise there would have been no occasion for him to issue the cheque in the sum of ₹17.50 lacs which on presentation was dishonoured.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. Prima facie, there are serious and specific allegations against the petitioner, which find support from the documentary evidence also. In the circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner in the instant case. The petition stands dismissed.

RATTAN PAL SINGH
2024.02.29 18.45
I attest to the accuracy and
integrity of this document

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 28, 2024
rps

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

RATTAN PAL SINGH
2024.02.29 18.45
I attest to the accuracy and
integrity of this document