

S. No.206

2024:PHHC:030729

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

CRM-M-58540 of 2023

Date of Decision:04.03.2024

Bhupinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Abhishek Singla, Advocate with Mrs. Anchal Singla,
Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.188 dated 29.12.2022 registered under Sections 406, 420, 506, 120B IPC at Police Station Phase-8, District SAS Nagar.

2. Allegations are that on 08.02.2021, petitioner – Bhupinder Singh along with his friend Sonu Malhotra and Rajat Kalra took as many as 10 vehicles from the complainant on lease vide an agreement. He stopped paying rent after November, 2021. Though four vehicles were returned but rest of the vehicles were not returned.

3. Learned counsel for the petitioner contends that dispute is of civil nature and that the complainant was only entitled for rent of the leased vehicles and in any case, if the rent was not paid, complainant could avail the civil remedy.

4. Learned State Counsel has strongly opposed the bail petition by pointing out that out of six vehicles, which were not returned, one vehicle was taken into custody during investigation but five vehicles have still not been

returned. Petitioner has not even provided the whereabouts of those vehicles and, thus, has misappropriate the same.

5. Learned State Counsel submits that custodial interrogation of the petitioner is required in order to trace those vehicles.

6. After hearing both the sides, this Court does not find the present case to be fit for grant of anticipatory bail as custodial interrogation of the petitioner may be necessary so as to trace the five vehicles taken on lease by the petitioner from the complainant, which he has not returned till date and which he is alleged to have misappropriated.

7. Dismissed.

March 04, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No