

IN THE COURT OF NARESH KUMAR GARG
ADDITIONAL SESSIONS JUDGE, JALANDHAR
(UID No. PB00841)

CNR No. PBJL010113372026



Case No. BA/4336/2026

Presented on : 14-07-2026
Registered on : 14-07-2026
Decided on : 04-08-2026

Hemant Kakkar aged about 52 years S/o Sh. Ashok Kumar R/o H.No. 36 A Near Dr. Bhim Rao Ambedkar Sahib Ji Da Bhawan, Mahesh Nagar Ambala, Haryana 133001 at present H.No. 47 B Second Floor, Aman Residency Kharar City, District Mohali.

.....Applicant/Petitioner.

Vs.

State of Punjab

.....Respondent

FIR No.67 dated 27.06.2024
Under Sections 406, 420,201 IPC
Police Station Division No.3, Jalandhar.

**First bail application under Section 483 Bhartiya Nagrik
Suraksha Sanhita.**

Present: Sh. Pankaj Sharma, Advocate counsel for the petitioner.
Ms. Aarti Mehta, A.P.P. for respondent-State assisted by
investigating officer ASI Satwinder Singh.
Sh. BS Kahlon Advocate, for complainant.

ORDER:

1. Sh. BS Kahlon, Advocate appeared and filed power of attorney on behalf of complainant and placed on record copy of the complaint moved against the present petitioner by some other vendor at Ghaziabad regarding the cheating of Rs.2,39,73858/-.
2. This order shall dispose of this application filed by above

petitioner for grant of bail under Section 483 of Bhartiya Nagrik Suraksha Sanhita (BNSS) for alleged commission of aforementioned offences. Ld Counsel for the petitioner moved an application for adding of Section 201 IPC. Keeping in view the submission made in the application, the same stands allowed. Reader is directed to make the necessary corrections in the bail application with red ink.

3. Upon notice, learned Additional PP assisted by investigating officer on behalf of State appeared and contested the bail application. Status report filed. As per the report of ahlmad and status report no other bail application filed by the petitioner in any other court.

4. As per the version of FIR, complainant Gurcharan Singh, Branch Manager of Malhotra Book Depot, moved an application before Commissioner of Police, Jalandhar stating therein that a person namely Hemant Kumar (petitioner) apprised to the complainant company that he is running the business of books under the name and style of M/s S7 Books situated at office 10, 13th Floor Chandigarh City Centre VIP Road Zirakpur and after purchasing the books by various bills amounting of 2,26,44,785/-, the present petitioner closed his business as well as his company. Even cheque issued by the petitioner got dishonored and the complainant tried to contact the petitioner but the petitioner has fled from the spot by closing his company. A complaint was moved and the inquiry was conducted by

ACP Barjinder Singh PPS and during the inquiry, notices were duly served to the petitioner but he chosen not to appear before the inquiry officer ultimately after inquiry, present FIR was registered and Section 201 BNS was added vide DDR N. 10 dated 05.07.2026.

5. It is submitted by the ld. Counsel for the petitioner that he has been falsely implicated in the present case. It is further submitted that the present FIR reveals that there is business transaction between the petitioner and complainant. It is further submitted the alleged transactions pertaining to year 2023 and the present FIR was registered on 27.06.2024. It is further submitted that petitioner was never received any notice to join the inquiry. It is further submitted that there was no dishonest intention on the part of petitioner. It is further submitted petitioner is behind the bars since 02.06.2026. With these submissions Ld. Counsel petitioner may be released on regular bail.

6. On the other hand, it is submitted by learned APP assisted by Ld. counsel for complainant that the intention of the petitioner was dishonest as after purchasing the books by various bills i.e. amounting of Rs.2,26,44,785/-, the present petitioner closed the business and complainant company tried to contact the petitioner but from the neighborhood, it came to the knowledge of the complainant that the petitioner closed his business. It is further submitted that despite

notice to the petitioner during the inquiry, he has chosen not to appear before the inquiry officer. With these submissions, learned APP requested for dismissal of present bail application.

7. I have considered the rival contentions of learned counsel for petitioner as well as of learned APP for State assisted by investigating officer and Ld. Counsel for complainant and also perused the record.

8. As per allegations, the petitioner being owner of the company named and styled as M/s S7 Books, committed fraud of Rs. 2,26,44,785/- by way of purchasing of books from the complainant company. Perusal of the file further shows that despite issuance of notices to the petitioner by the inquiry officer, the petitioner did not appear before inquiry officer. After committed cheating petitioner eloped after closing his business/office which shows that petitioner do not want to prove his innocence. The intention of the petitioner is to be gathered from the circumstances and at this stage there is no denial of fact that the petitioner has not received the goods. It is admitted fact that the petitioner has not paid the amount of bills. Further, one complaint of the similar nature is already pending against the present petitioner at DCP Ghaziabad. Mere long custody of applicant-accused is no ground to grant regular bail. Considering the nature of allegations, gravity of the offence and the manner in which it has been committed I do not find a fit case for

regular bail and same is accordingly declined.

9. The observation made by this court while deciding this bail application are only for limited purpose of adjudication of this bail application and as such are not be construed as an expression on merits of the case. File of bail application be consigned to record room.

Pronounced in open court.

Dated 04.08.2026

**Naresh Kumar Garg,
Addl. Sessions Judge
Jalandhar. (UID No.PB00841)**

Note: All the FIVE pages of this order have been checked and signed by me.

(Naresh Kumar Garg)
Addl. Sessions Judge,
Jalandhar. (UID No.PB00841)