

BA Number	1603/2018
C.N.R.Number	PBJL010051562018
Date of filing/Instt.	27.03.2018
Date of Order	10.04.2018

RubbalKanda Vs State of Punjab

Present: Ms Renu Joshan counsel for the applicant/
accused
Shri M.L.Bathla, Addl.P.P. for the State

1. Arguments on bail application moved by applicant/accused **Rubbal Kanda son of Shri Sham Sunder Kanda, resident of Village Atta, Tehsil Phillaur, District Jalandhar** under section 439 Cr.PC in this case bearing **FIR No.04 dated 05.01.2018 under section 406 and 420 of IPC and Section 13 of the Travel Proessional Regulation Act, registered at Police Station Goraya, District Jalandhar**, heard. Police record received.

2. Learned counsel for applicant/accused has argued that applicant/accused has been falsely implicated in this case. In fact it is a cheque bounce case, to which complainant in connivance with police has given shape of criminal case. Moreover, cheque was also misused by complainant by making alteration of date. In fact complainant has given money to one Deepika wife of Haresh Thapar, who runs Sky Lark Consultation at Shanker Market, Nawanshahr. Applicant/accused also applied for Visa through her and she in connivance with complainant

involved applicant/accused in this false case. Applicant/accused was arrested in this case on 01.03.2018 and since then, he is in custody. Nothing is required to be recovered from the possession of applicant/accused. Presentation and disposal of challan will take time. Therefore, it is prayed that applicant/accused may kindly be released on bail as prayed for.

3. On the other hand, learned Addl. P.P. on behalf of State has argued that applicant/accused has cheated complainant to the tune of Rs.3,50,000/- by dishonestly inducing him to send him abroad and investigation is still in progress and at this stage, he is not entitled to the benefit of bail.

4. I have considered the rival contentions and gone through the record of this case. In brief, as per allegations as alleged in the FIR, applicant/accused dishonestly inducing complainant Rahul to deliver Rs.3,50,000/- on the pretext of sending him to Georgia, but complainant was not allowed to enter Georgia. On return back to India, when complainant moved a complaint to police, then, applicant/accused compromised and issued cheque to complainant which was dishonoured and thus again cheated the complainant and complainant again moved a complaint to the police, and matter was inquired and after conducting proper inquiry, present case has been registered.

5. Keeping in view the act and conduct of accused, and also that the cheque issued by him during investigation in favour of complainant as he desired to compromise the matter with him stands dishonoured subsequently as per statement of complainant

recorded in Court in this bail application reveals his malafide intention and further I appreciate the arguments of learned Addl.P.P. for the State that this aspect is also to be considered that in this region there is tendency to dupe the innocent people on the false pretext of sending them abroad. Such like persons indulge in this illegal business of sending the people abroad and play with their lives. So, considering all these aspects in my opinion, applicant/accused does not deserve for concession of bail and his bail application is dismissed. Record of this bail application be consigned to Sessions Court record room, Jalandhar.

Pronounced:
Dated:10.04.2018

(Preeti Sahni)
Addl. Sessions Judge,
Jalandhar
[UID No. PB0078]

Onkar Chand