

In the court of Amarjot Bhatti, Sessions Judge, Hoshiarpur.
(UID PB0019)

Bail application No.185,dated 22.8.2019
(CIS BA No.1986 of 2019),
CNR No.PBHO010081392019,
Date of decision: **3.9.2019.**

1. Amanjot Singh Rajpal, aged 34 years, son of Gurmit Singh, resident of 88 Hardev Nagar, Kapurthala Chowk, c/o 5 River International Central Market, Second Floor, Backside Hotel Residency, Near Narindera Cinema, Jalandhar,
2. Rohit aged 27 years son of Vinay Kumar, c/o 5 River International Central Market, Second Floor, Backside Hotel Residency, Near Narindera Cinema, Jalandhar.

....Accused/applicant.

Versus

State of Punjab

...Respondent.

FIR No.112, dated 25.5.2019,
Under sections 420, 406 IPC
PS Tanda, District Hoshiarpur.

(Application for anticipatory bail)

Present: Shri Sandeep Sharma, counsel for the accused-applicants;
Shri Pawanpreet Singh, Addl.PP for the State.

ORDER

Amanjot Singh Rajpal and Rohit have filed this bail application seeking pre arrest bail in case FIR No. 112, dated 25.5.2019, under sections 420, 406 IPC, Police Station Tanda, District Hoshiarpur

2. As per the facts of the case, FIR in this case was registered on the basis of written complaint moved by Pushpinder Singh son of Sarabjit Singh to the Senior Superintendent of Police, Hoshiarpur against the accused/applicants, wherein he stated that on 30.5.2018, he and his wife

(Amarjot Bhatti)
Sessions Judge, Hoshiarpur.

obtained tour package of Canada including two return air tickets for 1.7.2018 from Amanjot Singh Rajpal and Rohit for ₹2,40,000/-. On 30.6.2018, the aforesaid agents informed him about the cancellation of air tickets. He and his wife went to Canada after buying air tickets from some other travel agency. On return from Canada, he demanded the amount of cancelled air tickets, on which they handed over two cheques bearing No.000315, dated 8.10.2018 for ₹1,40,000/- and No.000316, dated 25.10.2018 for ₹1,00,000/- of HDFC. The said cheques were presented in Punjab and Sind Bank, Branch Zahura, District Hoshiarpur, but the same bounced. He contacted the agents many times, but they are putting of the matter on one pretext or the other.

3. The counsel for the applicants argued that they have not committed any offence. No offence under section 420 IPC is made out. In case the cheque was dishonoured, only bailable offence under section 138 of the Negotiable Instrument Act is made out. Even otherwise the applicants are ready to pay the balance amount of the cancelled air tickets. Despite request the complainant has refused to accept the amount. They are ready to join the investigation and will abide by the terms of bail order. It is prayed that their anticipatory bail application may be allowed.

4. Bail application is opposed by the Addl. Public Prosecutor.

5. I have gone through the record. The FIR has been registered by Pushpinder Singh. There are allegations against the present applicants that on 30.5.2018 their return air tickets for going to Canada were cancelled and for that reason they had to buy tickets from other travel agent for going to Canada and on return back, they requested regarding the return of money of cancelled tickets. The cheques given by them were also dishonoured. With these allegations the FIR was registered. The copies of air tickets, copy of bank

(Amarjot Bhatti)
Sessions Judge, Hoshiarpur.

cheques alongwith memo are on the record. The entire documents are already in police possession. The applicants are not likely to abscond. They are ready to abide by the terms of bail order. Considering the nature of allegations, I find merits in the anticipatory bail application filed by Amanjot Singh Rajpal and Rohit and the same is allowed. They be not arrested. In case they are arrested by the police, they be released on bail by the Investigating Officer on furnishing bail bonds in the sum of ₹50,000/- with one surety of the like amount and in case they prefer to surrender before the court, they be released on bail on same terms and conditions with further direction to join investigation with the police as and when required. They will not tamper with the prosecution evidence and they will not leave the country without prior permission of the court. Police file be returned with the copy of this order. Bail application file be consigned to the record room.

Announced.

Date of order: **3.9.2019.**
Anil Kumar, E.A

(Amarjot Bhatti),
Sessions Judge, Hoshiarpur.
(UID No.PB0019)

(Amarjot Bhatti)
Sessions Judge, Hoshiarpur.

BA 1986 of 2019

Present: Shri Sandeep Sharma, counsel for the accused-applicants;
Shri Pawanpreet Singh, Addl.PP for the State.

Counsel for the applicants moved application for amendment in the bail application on the ground that due to typographical and inadvertence the bail application was mentioned as “regular bail application under section 439 Cr.P.C.” instead of “anticipatory bail under section 438 Cr.P.C.” The mistake being typographical one, the same is allowed to be corrected. Amended application filed. Vide separate order of today, bail application has been allowed. Police file be returned with copy of the order and bail application file be consigned to the record room.

Announced.

Date of order: 3.9.2019.
Anil Kumar, E.A

(Amarjot Bhatti),
Sessions Judge, Hoshiarpur.
(UID No.PB0019)

(Amarjot Bhatti)
Sessions Judge, Hoshiarpur.