

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

CRM-M No.12918 of 2015

Decided on: 16.07.2015

Atta & another . . . Petitioners

Versus

State of Haryana . . . Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Arjun Atri, Advocate
for the petitioners.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.112 dated 12.02.2015, under Section 420 IPC, registered at Police Station, Nuh, District Mewat.

Counsel for parties have been heard.

Perusal of the FIR would reveal that the allegations are with regard to the complainant having been cheated for an amount of ₹5,00,000/- by giving assurance to give gold but inspite of that some other metal was delivered. Co-accused was apprehended on the spot and recovery of ₹2,00,000/- and gold has already been

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effected from him. The present petitioners was sought to be implicated on the statement of Makshud.

On 04.05.2015, the following order was passed by this Court:-

“List for further consideration on 16.07.2015.

In the meanwhile, petitioners are directed to join investigation and to appear before the Investigating Officer on 16.05.2015.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Mool Chand, would apprise the Court that the petitioners have since joined investigation in the light of order dated 04.05.2015.

Under such circumstances, custodial interrogation of the petitioners would not be warranted. Present petition is, accordingly, allowed. Order dated 04.05.2015, passed by this Court, is made absolute.

Disposed of.

**[TEJINDER SINGH DHINDSA]
JUDGE**

16.07.2015
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