

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

**CRM-M-19098 of 2015 (O&M)
Date of Decision: 21.8.2015**

H.B.Singh and another

--Petitioners.

Vs.

State of Haryana

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Ashit Malik, Advocate
for the petitioners.

Mr. Shivender Swaroop, AAG, Haryana.

Mr. Keshav Pratap Singh, Advocate
for the complainant.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioners seek pre-arrest bail in FIR No. 284 dated 25.3.2015 under Sections 406/420/506/120-B IPC, registered at Police Station Karnal City, District Karnal.

Notice of motion was issued and interim protection was granted.

Learned counsel for the State, on instructions from ASI Sultan Singh, submits that petitioners have joined the investigation and they are no more required for the purpose of any further investigation.

However, learned counsel for the complainant vehemently opposed the present petition contending that petitioners have defrauded the complainant, because of which they are not entitled for the concession of the anticipatory bail. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioners have been found entitled for the concession of the anticipatory bail. It is so said, because prima facie it seems to be a case of civil nature. Both the parties are putting their claims and counter claims against each other for recovering the same amount. Thus, it is a matter pertaining to recovery of money.

Be that as it may, present petition is allowed and order dated 4.6.2015 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

21.8.2015
AK Sharma