

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

**Criminal Misc. No.M-20300 of 2015
Date of Decision: August 24, 2015**

Rahis Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mohd. Salim, Advocate,
for the petitioner.

Mr.Kuldeep Tiwari, Addl. AG, Haryana.

Naresh Kumar Sanghi, J.

Learned counsel for the petitioner has pointed out that in compliance of interim directions issued by this Court vide order dated 22.06.2015, the petitioner did join the investigation and co-ported with the Investigating Agency. He further points out that out of the amount deposited in his account, the department has already recovered more than ₹ 4,00,000/- (Rupees four lacs only) from his account and that for the remaining amount of Rs.5,41,188/- (Rupees five lacs forty one thousand one hundred and eighty eight only) the petitioner is ready to furnish the bank gurantee and the said amount can be paid to the person entitled after trial.

Learned counsel for the State, on instructions from ASI Subhash Chand, Police Station, Civil Lines, Gurgaon, very fairly

concedes that the petitioner has joined the investigation but the recovery of the remaining amount is yet to be effected from him. He submits that if the petitioner furnishes the bank guarantee for the remaining amount then he shall have no objection in allowing the present petition.

In view of the above, the present petition is allowed. Interim directions issued by this Court vide order dated 22.06.2015, are made absolute subject to the condition that the petitioner shall furnish a bank guarantee of ₹ 5,41,188/-(Rupees five lacs forty one thousand one hundred and eighty eight only) before learned Area Judicial Magistrate and the same shall be released in favour of the petitioner or Haryana State Agricultural Marketing Board, as per entitlement after the trial of the case.

The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions as laid down under Section 438(2), Cr.P.C.

August 24, 2015
seema

(Naresh Kumar Sanghi)
Judge