

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

**CRM-M-34021 of 2015
Date of Decision: December 04, 2015**

Smt. Aparajita and another ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sarfraj Hussain, Advocate
for the petitioners.

Mr. Deepak Saberwal, Addl. A.G. Haryana.

FATEH DEEP SINGH, J.

The petitioners who are wife and husband respectively have invoked the jurisdiction of this Court seeking anticipatory bail under Section 438 Cr.P.C. in case registered on the complaint of complainant Narender Kumar Dahiya, wherein, it was alleged that he was an owner and running an Oil Mill under the name and style of Neelkanth Flour and Oil Mill, Dhanwapur, Gurgaon. It is alleged that in the month of December, 2013 one Hoshiyar Singh arranged meeting of the complainant with the accused-petitioners, who are owners of SAM Advisory Management Pvt. Ltd. in Gurgaon to facilitate procurement of orders for supply of mustard oil to the Government organisations to the complainant. It is further alleged that the petitioner-wife gave certain tender forms to the complainant of various Government organisations and for which it is alleged that accused-wife had demanded ₹2,30,000/- as earnest money and ₹5000/- as cost of tender forms and ₹5,00,000/- as advance of service charges of her company to enable procurement of orders and further demanded a

sum of ₹25,00,000/- at the time of execution of the agreement and on account of which it is alleged that the complainant paid a sum of ₹7,35,000/- to the petitioner-wife and, thereafter, the accused are alleged to have delivered him a letter purported to be for supplying and making delivery of mustard oil to these organisations after the complainant was made to sign on an agreement, however, thereafter, nothing materialised leading to the registration of the present case.

Though, the learned State counsel has submitted that the petitioners have joined the investigations in consequence of interim bail granted vide order dated 05.10.2015 of this Court, however, learned counsel for the complainant has sought to oppose the grant of bail to the petitioners on the grounds that the accused have acted dishonestly and cheated them and are notorious swindlers fleecing the people by their acts.

Appreciating the submissions, apparently, as per the own admission of the complainant, a written contract has been executed between the parties on the two sides and it is subsequent thereto a dispute has been cropped up. Since the petitioners have joined the investigations and that nothing is to be recovered from them and that culpability, if any, shall be decided at the time of trial, thus, the *ad interim* orders dated 05.10.2015 passed by this Court are made absolute on the same terms and conditions.

Petition stands disposed off.

(FATEH DEEP SINGH)
JUDGE

December 04, 2015
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