

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-745 of 2015

.....

Date of decision:2.2.2015

Anuj Kapoor and another

.....Petitioners

v.

State of Haryana

.....Respondent

....

Present: Mr. Deepinder Brar, Advocate for the petitioners.

Mr. Deepak Grewal, Deputy Advocate General, Haryana
for the respondent-State.

Ms. Mandeep Kaur and Mr. Suvir Sidhu, Advocates for the
complainant.

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Inderjit Singh, J.

The petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.400 dated 5.8.2014 registered for the offences under Sections 420, 467, 468, 471, 506 and 120-B IPC at Police Station Faridabad Central, District Faridabad.

Notice of motion has been issued in this case.

Mr. Deepak Grewal, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and Ms. Mandeep Kaur and Mr. Suvir Sidhu, learned Advocates have appeared on behalf of the complainant and contested this petition.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Haryana appearing for the respondent-State as

well as learned counsel for the complainant and have gone through the record.

As per the prosecution version, the complainant Shikhar Anand purchased a car with a cash back scheme of ₹55,000/- and on that assurance and allurements, the car was sold to him. The amount of ₹55,000/- was never paid to the complainant as per scheme. He got some problem in his car and the petitioners took away his car to their centre and gave three estimated invoices regarding the problem to be corrected and arbitrarily increased parts and the problems of the car.

Keeping in view the facts and circumstances of the present case, I find that the petitioners have already joined the investigation and they are not required for their custodial interrogation. Nothing is to be recovered from them. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 9.1.2015 passed by this Court granting interim bail to the petitioners is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

February 2, 2015.

(Inderjit Singh)
Judge

hsp