

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

**Criminal Misc. No. M-17865 of 2016
Date of Decision:-02.09.2016**

Vijay Kumar Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vikas Kumar, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

Mr. Kunal Dawar, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.179 dated 18.4.2016, under Sections 467, 468, 471, 420, 406 and 120-B IPC, registered at Police Station Central Faridabad, District Faridabad.

Vide order dated 23.5.2016, this Court while noticing the contention of the petitioner that the allegation of misappropriation of 486 batteries and 841 inverters have been levelled against the co-accused Pawan Kumar and there is no allegations against the petitioner, has granted interim bail to the petitioner.

Learned State counsel, who is assisted by SI Chatter Pal, has stated that in terms of the order dated 23.5.2016 the petitioner has joined investigation but the anticipatory bail application of other co-accused Pawan Kumar has been dismissed by this Court in CRM-M-2599 of 2016 and, therefore, the petitioner is not entitled to the relief claimed.

However, learned counsel for the complainant has tried to project a mechanism showing that the dealer will never return the money to the distributor.

I have heard learned counsel for the parties.

Considering the fact that the petitioner has joined the investigation and no recovery is to be effected from him, he deserves the concession of anticipatory bail. Accordingly, the present petition is allowed and interim directions issued by this Court vide order dated 23.5.2016 are made absolute.

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

September 02, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No