

216/A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19380-2016(O&M)
Date of decision : 21.07.2016

RAJ PAL SINGH

..... PETITIONER

versus

STATE OF HARYANA

..... RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. GBS Dhillon, Advocate for the petitioner.

Mr.Satish Saini, DAG, Haryana.

Mr. KDS Hooda, Advocate for the complainant.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR
No. 63 dated 11.04.2016, under Sections 420, 406, 506, 34 IPC, registered at
Police Station Kosli, District Rewari.

On 30.05.2016 the following order was passed:-

“Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Neha daughter of Harish who had been in jail.

The petitioner allegedly met Harish in hospital and persuaded him to send the complainant abroad. He had received a sum of Rs.30 lacs but had not fulfilled his commitment.

Counsel for the petitioner submits that as a matter of fact a loan of Rs.15 lacs had been received by the petitioner and he having not been able to return the same, has been falsely involved in the present case. He has offered to return sum of Rs.15 lacs.

At this stage, Mr.K.D.S.Hooda, for the complainant has

intervened to oppose the application for pre-arrest bail contending that a sum of Rs.30 lacs had actually been received by the petitioner and his son Hira Singh.

Without entering into the controversy regarding the extent of culpability of the petitioner at this stage, let notice be issued to the Advocate General, Haryana, for 21.7.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 11.6.2016 along with bank draft of Rs.13 lacs in the name of the complainant and the said bank draft may be handed over to the investigating officer. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.

Counsel for the complainant will be at liberty to raise arguments on next date of hearing.”

Pursuant to the aforesaid order it is admitted that the petitioner has submitted to the investigating officer three bank drafts in favour of the complainant totalling to Rs. 13 lacs who, on the asking of the Court, has handed over the same to learned counsel for the complainant.

In this view of the matter I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. It is made clear that this order cannot in any way be taken to mean that the Court has accepted the assertion of the petitioner that he had taken the loan only of Rs. 15 lacs.

Let the petitioner appear before the investigating officer on 29.07.2016 or on any other date on which his presence is required by him. On his appearance the investigating officer shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438(2) CR.P.C.

Petition stands disposed of.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

July 21, 2016
sunita

(AJAY TEWARI)
JUDGE