

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20881-2016

Date of Decision:- 05.10.2016

Vikas Chanana and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Naveen Malik, Advocate,
for the petitioners.**

Ms. Mahima Yashpal, AAG, Haryana.

**Mr. Amit Arora, Advocate
for the complainant.**

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners, in a case arising out of FIR No.464 dated 05.11.2015, registered at Police Station SGM Nagar, Faridabad, who have been booked for having committed the offences punishable under Sections 498-A, 377, 406, 420, 506 and 120-B.

Learned counsel for the petitioners submits that the Bank has already filed a suit before the Debt Recovery Tribunal for initiation of proceedings for recovery of loan of ₹3.5 crores taken by the Company in the name of M/s Vassu Associates, in which the complainant is a sole

proprietor. He further states that in that suit Basanti Devi (respondent No.3) and Vikas Chanana (respondent No.4) have given their properties as capital mortgaged in favour of the company and they are bound by the decision pass by the DRT.

Learned State counsel, on instructions from investigating officer, has informed that husband of the complainant has been released on regular bail on 12.09.2016. There is ongoing dispute between complainant and her husband and an application/complaint (Annexure P-2) under Section 12 of the Protection of Women from Domestic Violence Act, filed by the complainant, is pending before the Illaqua Magistrate, Faridabad. As far as the allegations in the present FIR are concerned, the question of recovery of loan will be decided by the DRT and as regards the allegations under Section 498-A IPC, no role is attributed to the present petitioners.

In view of the totality of the facts and circumstances of the case, order dated 13.06.2016, passed by this Court whereby the ad-interim anticipatory bail was granted to the petitioners is made absolute. The petitioners shall continue to join the investigation as and when required to do so and abide by all the conditions as envisaged under Section 438 (2) Cr.P.C.

Accordingly, the present petition stands disposed of.

October 05, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No