

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-25468 of 2016

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Date of decision:6.10.2016

Bhupender Sharma

.....Petitioner

v.

State of Haryana

.....Respondent

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(2) Criminal Misc. No.M-27325 of 2016

.....

Deepak Omar

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Sandeep Goyat, Advocate for the petitioner in Cr. Misc.
No.M-25468 of 2016.

Mr. Namit Khurana, Advocate for the petitioner in Cr. Misc.
No.M-27325 of 2016.

Mr. Vikas Chopra, Deputy Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions
filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR
No.1076 dated 26.12.2015 registered for the offences under Sections 420,
406, 417, 418, 149, 506 and 120-B IPC at Police Station Civil Lines Hisar,
District Hisar.

Notice of motion has been issued in these cases.

Mr. Vikas Singh, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record.

A perusal of the FIR shows that it is a dispute mainly regarding some breach of the agreement. The security amount was deposited with the accused. There was some agreement by accused Nos.2 to 6 that sale of produce of the Company of accused No.1 will be done by them. They allured them that ₹32,500/- monthly will be paid to him for becoming a consignor and further 2% commission of the sale will be given to the applicant/complainant. As per the allegations, the accused persons demanded the return of whole material by way of cheating and in that regard they gave three cheques each amounting to ₹3 Lacs which were dishonoured.

The present petitioners have joined the investigation. They are not required for any custodial interrogation. The case is mainly based on documentary evidence i.e. agreement etc. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present cases; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the

same are allowed. The interim orders dated 28.7.2016 and 9.8.2016 passed by this Court in these cases respectively granting interim bail to the petitioners are 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.

October 6, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No