

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

***CRM No.M-34004 of 2015 (O&M)
Date of Decision: 10.02.2016***

Amit and another

... Petitioners

Versus

State of Haryana

... Respondent

2. CRM No.M-37184 of 2015 (O&M)

Nirmla

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Gaurav Mohunta, Advocate with
Mr. Gaurav Gogna, Advocate for the petitioner(s).

Mr. Rajiv Doon, AAG, Haryana.

Mr. Ashwani Gaur, Advocate for the complainant.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of CRM No.M-34004 of 2015 and CRM No.M-37184 of 2015 as the prayer made in both these connected petitions is for grant of anticipatory bail to the petitioners herein in case FIR No.558 dated 07.09.2015, under Sections 420/406/506/120-B IPC, registered at Police Station City Sonapat, District Sonapat.

It may be noticed at the very outset that petitioner No.1, namely, Amit in CRM No.M-34004 of 2015 duly represented by counsel has chosen to withdraw the petition and as such petition qua Amit already stands dismissed.

These two connected petitions survive qua Rajnish w/o Amit and Nirmla w/o Karan Gahlawat.

FIR came to be registered on the complaint of Satbir. Accusations were against Karan Gahlawat, his wife Nirmla (petitioner herein), Amit s/o Karan Gahlwat and Rajnish w/o Amit (petitioner herein). Allegations pertain to misappropriation of money and having induced the petitioner to pay a sum of Rs.16 lacs on the pretext of securing appointment to brother of the complainant in Defence Research and Development Organization. The allegations are primarily targeted against Karan Gahlawat in this regard even though there is an allegation of handing over of the amount in presence of wife of Karan Gahlawat as also wife of Amit. In addition thereto there is a further allegation of misappropriation of an amount of Rs.40 lacs as the same having been invested in committees over a certain period of time. Herein also, the prime accused is Karan Gahlawat. In the FIR itself, it has been recited that an amount of Rs.30 lacs that had been invested in the committees already stands returned.

On 20.11.2015, while dismissing CRM No.M-34004 of 2015 qua petitioner No.1-Amit, petitioner No.2-Rajnish was directed to join investigation and interim protection was granted in her favour. Likewise on 20.11.2015 itself, Nirmla petitioner in CRM No.M-37184 of 2015 was directed to join investigation and was also granted interim protection.

It has gone uncontroverted that both Nirmla and Rajnish have since been joined investigation.

Learned State counsel would, however, submit that the amount in question has not been recovered from them.

Be that as it may, it is also not in dispute that during the pendency of these two connected petitions, accused Amit as also prime accused Karan Gahlawat have since surrendered and are in custody.

Keeping in view that Rajnish and Nirmla are housewives and main accused, Karan Gahlawat and Amit had already been arrested and these two petitioners have already joined investigation, their prayer for grant of pre-arrest bail is accepted.

Both the petitions are allowed. Orders dated 20.11.2015 passed by this Court in both these connected petitions are made absolute.

Disposed of.

10.02.2016

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE