

**Sr. No.212
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No.M-3670 of 2016 (O&M)

Date of Decision: 26.04.2016

Kishan Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. A.P.Bhandari, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

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TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.296 dated 16.10.2015, under Sections 406, 506 of Indian Penal Code, registered at Police Station Line Paar, Bahadurgarh, Jhajjar Haryana.

While issuing notice of motion, the following order was passed by this Court on 02.02.2016:-

"Petitioner seeks concession of pre-arrest bail in case FIR No.296, dated 16.10.2015, under Sections 406/506 IPC, registered at Police Station Line Paar, Bahadurgarh, Jhajjar, Haryana.

Perusal of the FIR would reveal that the same was registered on the statement of Ashok Kumar on the accusation that his son Naveen Kumar had been allured by the present petitioner to part with a sum of Rs.18,50,000/- in 2/3 installments but such amount has not been returned.

Counsel would inter alia contend that the allegations are utterly vague in nature. There are no details forthcoming as regards the precise dates on which such sum of money had been allegedly entrusted to the present petitioner as also the purpose and objective of giving out such a huge sum of money in the hands of the accused. Further contended that the allegations at best would make out a civil dispute and the same is being given a criminal flavour.

Notice of motion, returnable for 26.04.2016.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Jai Karan would apprise the Court that petitioner has since joined investigation.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 02.02.2016, passed by this Court is made absolute.

Disposed of.

26.04.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE