

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

CRM-M-42235 of 2015

Date of Decision: 10th November, 2016

Arun Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Neeraj Gupta, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. R.P. Singh Ahluwalia, Advocate
for the complainant.

FATEH DEEP SINGH, J.

The allegations in this bail application under Section 438 Cr.P.C are that accused in all numbering 3 had formed a construction Company under the name and style of Competent Buildcon Infrastructure Pvt. Ltd. at Delhi and offered dwelling units in their project situated in Gurgaon on the Dwarka Express way on the basis of which took from the complainant side a sum of Rs.51 lacs promising for dwelling units but subsequently failed to abide by it. Learned counsel for the complainant has placed on record affidavits of the complainant side to this effect. It is alleged that the petitioner though was not one of the Directors but out of this money had purchased a land in Dehradun. Thus, duped the investors of their valuable money.

The contentions of the learned counsel for the petitioner that the accused person has returned about Rs.32 lacs to the complainant side and that he has joined investigations in pursuance of order dated 23.12.2015 of this Court and since it is the own stand of the State that the petitioner has joined investigations and, thus, nothing remains to be recovered and that culpability, if any, shall be determined at the time of trial and in view of bonafide shown by the petitioner side impels this Court to confirm the order of interim bail.

In view thereof, *ad interim* orders dated 23.12.2015 passed by this Court are made absolute on the same terms and conditions.

Petition stands disposed off.

10th November, 2016

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**(FATEH DEEP SINGH)
JUDGE**