

CRM-M-25399-2017

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

CRM-M-25399-2017

Date of Decision:20.09.2017

Rishi Sharma and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vikas Bishnoi, Advocate,
for the petitioners.

Mr. B.S.Virk, DAG, Haryana.

Mr. Amit Kumar Jain, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Rishi Sharma, Sandeep Kumar, Harshdhawan and Narender Kumar have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.70 dated 22.03.2017, registered at Police Station Civil Lines Bhiwani, District Bhiwani, under Sections 409 and 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, the complainant got deposited his gold with M/s India Infoline Finance Limited and took the loan. However, the petitioners defrauded the complainant and disposed of the gold ornaments.

In pursuance of the interim order dated 18.07.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. The case is based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 18.07.2017, granting interim bail to the petitioners, is 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.

20.09.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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