

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

**CRM NO. M-36841 OF 2017
DECIDED ON : 29.09.2017**

Nilesh Kumar Mishra

...Petitioner

versus

The State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Ashok Tobria, Advocate,
for the petitioner.

ANUPINDER SINGH GREWAL, J.(ORAL)

The petitioner has impugned the condition imposed by learned Additional Sessions Judge, Faridabad, while granting anticipatory bail to the petitioner, for return of the alleged defrauded amount of ₹28.75 lacs to the complainant.

Learned counsel for the petitioner contends that in case the petitioner hands over the entire amount to the complainant, his case before the trial Court would be prejudiced. He undertakes that the petitioner shall deposit the entire amount in the Court and he may be granted a period of one month for doing so.

Issue notice to the respondent.

At the asking of Court, Mr. Karan Sharma, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent. A complete set of paper-book be supplied to him during the course of day.

Heard.

There appears to be merit in the submissions of learned counsel for the petitioner that in case he pays the entire amount to the complainant in the absence of settlement of the issue, his case before the trial Court would be prejudiced. The prayer for granting one month's time also appears to be reasonable.

Consequently, the petition is allowed and the condition imposed by Additional Sessions Judge, Faridabad in the order dated 08.09.2017 (Annexure P-3) shall stand modified to the extent that the petitioner shall deposit an amount of ₹28.75 lacs in the trial Court within a period of one month from now.

(ANUPINDER SINGH GREWAL)
JUDGE

SEPTEMBER 29, 2017

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Whether speaking/reasoned : YES/NO

Whether reportable : YES/NO