

CRM-M-40923-2017 and
CRM-M-46165-2017

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

Date of Decision:11.12.2017

1. **CRM-M-40923-2017**

Rameshwar Dass Goyal and another

... Petitioners

Versus

State of Haryana and another

... Respondents

AND

2. **CRM-M-46165-2017**

Nitu Goyal

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mandeep S. Bedi, Sr. Advocate with
Mr. Vipul Babuta, Advocate,
for the petitioners in both the petitions.

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

Mr. Pavan Malik, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-40923-2017, filed by
petitioners-Rameshwar Dass Goyal and Shashi Goyal and CRM-M-46165-
2017, filed by petitioner-Nitu Goyal, under Section 438 of the Code of

CRM-M-40923-2017 and
CRM-M-46165-2017

Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.206 dated 13.06.2015, registered at Police Station Sector 5, Panchkula, under Sections 406, 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of respondent No.1-State and respondent No.2 also appeared through its counsel.

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

It is an admitted fact that as per the compromise effected with the bank, the accused are to pay ₹85 lakhs in installments and as per the record, they are paying the installments, rather the amount has been paid more than the installments till now.

In pursuance of the interim orders dated 13.11.2017 passed in CRM-M-40923-2017 and dated 05.12.2017 passed in CRM-M-46165-2017 by this Court, the petitioners have already joined the investigation.

Keeping in view the facts and circumstances of the present case especially effecting of compromise in respect of paying the bank loan; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that the petitioners are not required for custodial interrogation and, therefore, no useful purpose will be served by sending them to custody. Finding merits in both these petitions, the same are allowed. The interim orders dated 13.11.2017 passed in CRM-M-40923-2017 and dated 05.12.2017 passed in CRM-M-

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46165-2017, granting interim bail to the petitioners, are made absolute, subject to the conditions that 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. and further that they shall pay the remaining amount as agreed with the bank and shall not commit any default. It is made clear that if any default is committed, the petitions for anticipatory bail will be treated as dismissed.

11.12.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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