

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

(i) CRM No.M-4837 of 2017 (O&M)

Ravish Raizada

...Petitioner

VERSUS

State of Haryana

...Respondent

(ii) CRM No.M-13031 of 2017 (O&M)

Shri Ishant Bhatia

...Petitioner

VERSUS

State of Haryana

...Respondent

Date of Decision: May 01, 2017

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Gautum Dutt, Advocate
for the petitioner (in CRM No.M-4837 of 2017).

Mr.Naveen Singh Panwar, Advocate
for the petitioner (in CRM No.M-13031 of 2017).

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as the
same have arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C.

Sections 120-B, 420, 406 and 506 IPC, registered at Police Station Civil Lines, District Sonipat.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

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

From the record, I find that as per the FIR, which was got recorded by Atro Devi against the present petitioners, home loan was taken by the petitioners and as per the allegations, that amount has been credited in the default account of complainant's son.

The perusal of the record shows that there is no allegation against the present petitioners that they have embezzled the amount or have illegally gained anything. Learned counsel for the petitioners state that the complainant has given the affidavit on the basis of which that amount has been transferred to the account of son of the complainant.

Keeping in view the facts and circumstances of the case and 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. Petitioner Ravish Raizada has already joined the investigation. No useful purpose will be served by sending him to custody. The order dated 21.03.2017 granting interim bail to petitioner Ravish Raizada is made absolute.

As regarding petitioner Ishant Bhatia, it is ordered that, in the event of arrest, he be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer.

However, he shall join the investigation as and when called upon to do so

and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

Therefore, both the petitions are allowed accordingly.

May 01, 2017	(INDERJIT SINGH)
Vgulati	JUDGE
Whether speaking/reasoned	Yes
Whether reportable	No