

In the High Court of Punjab and Haryana at Chandigarh

.....

(1) Criminal Misc. No.M-34456 of 2016

.....

Date of decision:25.9.2018

Jitender

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

(2) Criminal Misc. No.M-16668 of 2017

.....

Manoj Kumar

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Present: Mr. K.S. Dhaliwal, Advocate for the petitioners.

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

Mr. S.S. Narula, Advocate for the complainant.

.....

Inderjit Singh, J.

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.39 dated 26.01.2016 registered for the offences under Sections 406, 420, 467, 468, 471 and 120-B IPC at Police Station City Jind, District Jind.

Notice of motion has been issued in these cases.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and Mr. S.S. Narula, learned Advocate has appeared for complainant-respondent No.2 and

contested these petitions.

I have heard learned counsel for the parties and learned State counsel appearing for the respondent-State and have gone through the record.

As per the prosecution version, petitioner-Manoj Kumar had taken a loan of ₹45 Lakhs on the basis of sale deed which is found genuine but the bank statement given by him is stated to be forged one. It is on the record that even after borrowing of the loan, the petitioner had transactions with the HDFC Bank till December 2015.

As regards petitioner-Jitender, he had taken CC limit of ₹85 Lakhs. He had given two sale deeds out of which one sale deed is stated to be forged one. He had also transactions with the HDFC Bank till December 2015.

The present petitioners have already joined the investigation. As stated they are not required for any custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present cases; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The interim order dated 11.5.2017 passed by this Court in Cr. Misc. No.M-16668 of 2017 granting interim bail to the petitioner-Manoj Kumar is made absolute. However, petitioner-Manoj Kumar 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.

In the event of arrest, petitioner-Jitender in Cr. Misc. No.M-

34456 of 2016 shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. Petitioner-Jitender 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.

September 25, 2018.

(Inderjit Singh)
Judge

hsp

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