

Crl. Misc. No. M-37589 of 2018

Date of Decision: September 06, 2018

Mohd. Azeem

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. Rakesh Dhiman, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No. 218 dated 28.05.2018 under Sections 44, 66 of Information Technology Act, 2000 and Sections 408, 418, 420, 421, 468, 477-A IPC registered at Police Station Sector 17/18, Gurugram, District Gurugram.

The allegations in the FIR are that the petitioner in connivance with his co-accused defrauded the complainant–Company by falsifying the accounts of the Company.

Learned counsel for the petitioner submits that the parties have reached an amicable settlement and in pursuance thereto a sum of Rs. 1.25 crores has been paid to the complainant. Out of this amount, Rs. 50 lacs has been paid through demand draft and the balance amount of Rs. 75 lacs has been paid through three post dated cheques.

Vide order dated 30.08.2018, learned State counsel had been directed to confirm whether the post dated cheques have been encashed. Today, he submits on instructions from SI Ravinder Singh that the post dated cheques have been encashed.

Accordingly, the petition is allowed. The petitioner is directed to join investigation as and when required by the Investigating Officer and cooperate therewith. In the event of his arrest, he would be released on bail to the satisfaction of Investigating Officer/Arresting Officer/SHO concerned subject to his compliance of conditions enshrined under Section 438(2) of the Code of Criminal Procedure, 1973.

At this stage, learned counsel for the petitioner submits that the petitioner is paralysed and is unable to go to the police station.

Learned State counsel submits that Investigating Officer will go to the residence of the petitioner and interrogate him there. Thus, it is directed that the Investigating Officer shall go to the residence of the petitioner and carry out necessary investigation. The same arrangement shall carry on whenever the petitioner is required to join the investigation.

September 06, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No