

**CRM-M-7573-2018 and
CRM-M-8554-2018**

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

Date of Decision: 27.11.2018

1. CRM-M-7573-2018 (O & M)

Dharna Goel

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-8554-2018 (O & M)

Mohit Goel

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. L.M.Gulati, Advocate,
for the petitioners in both the petitions.

Ms. Monika Jalota, DAG, Punjab.

Mr. Sandeep Arora, Advocate,
for the complainant.

INDERJIT SINGH, J.

This order shall dispose of CRM-M-7573-2018, filed by
petitioner-Dharna Goel and CRM-M-8554-2018, filed by petitioner-Mohit
Goel, under Section 438 of the Code of Criminal Procedure, 1973 (for

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brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.116 dated 11.09.2017, registered at Police Station Division No.6, Jalandhar, District Jalandhar, under Sections 406, 420, 506 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 the respondent-State and complainant also appeared through his counsel. They contested these petitions.

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

The case is mainly based on agreement dated 01.08.2016. However, learned counsel for the petitioners argued that petitioner-Dharna Goel had remained the Director of Company w.e.f. 02.06.2016 to 15.06.2016. A document has also been produced to show that petitioner-Dharna Goel had ceased to be the Director of Company even prior to the execution of agreement in question, which was signed on 01.08.2016. So far as petitioner-Mohit Goel is concerned, he had remained the Director of Company w.e.f. 2015 to 28.07.2016. He had not signed the document and ceased to be Director of the Company even prior to the execution of agreement in question dated 01.08.2016 on the basis of which the present FIR has been registered.

In pursuance of the interim orders dated 22.02.2018 passed in CRM-M-7573-2018 and dated 28.02.2018 passed in CRM-M-8554-2018 by

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not required for custodial interrogation. Challan has already been presented. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The orders dated 22.02.2018 and 28.02.2018, granting interim bail to the petitioners, are made absolute. However, 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.

27.11.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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