

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

**Criminal Misc. No. M-9702-2018
Date of Decision: 13.07.2018**

Shahzad

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.P.S. Sidhu, Advocate for the petitioner.
Mr. B.S. Virk, DAG, Haryana for respondent(s)-State.
Mr. Sukesh K. Jindal, Advocate for the complainant.

...

Inderjit Singh, J.

Petitioner-Shahzad has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.814 dated 04.09.2017, registered at Police Station Chandni Bagh, Panipat, under Sections 420, 406 and 506 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel as well as learned counsel for the complainant have appeared and contested this petition.

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

Perusal of the FIR shows that it is a simple case of business transactions. Articles were given first time of the amount of Rs.3,10,950/- and the accused assured that he will pay the money at the earliest and later on, he made payment of Rs.10,000/-. After about two months, articles of Rs.3,15,000/- were again given and the accused made the payment of Rs.15,000/-. After some gap, articles of Rs.3,15,000/- were again given to the present petitioner without taking the receipt.

In pursuance of the interim order dated 08.03.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose would be served by sending the petitioner 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 order dated 08.03.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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. However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

13.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No