

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-8620 of 2019

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Date of decision:27.03.2019

Sunil Pachaar

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Sanchit Punia, Advocate for the petitioner.

Mr. Shard K. Yadav, Deputy Advocate General, Haryana for
the respondent-State.

Mr. Baltej Singh Sidhu, Advocate for the complainant.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.303 dated 21.10.2018 registered for the offences under Sections 406, 420 and 34 IPC at Police Station Sadar, Sirsa, District Sirsa.

Notice of motion has been issued in this case.

Mr. Shard K. Yadav, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and Mr. Baltej Singh Sidhu, learned Advocate has appeared for the complainant and contested this petition.

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

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From the record, I find that the allegation against the present petitioner is that his co-accused got recorded the conversation of the complainant with the present petitioner on telephone. 500 Set-top boxes were sold on 28.7.2017 and these were received by one worker of the present petitioner and the amounts of ₹7,08,000/- has not been paid.

Learned counsel for the petitioner argued that the petitioner never met the complainant. As per the version even in the FIR, there is dispute between the complainant and co-accused and the version in the FIR has been concocted one. He has not taken any article from the complainant.

The present petitioner has already joined the investigation. As stated he is not required for any custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 27.2.2019 passed by this Court 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.

March 27, 2019.

(Inderjit Singh)
Judge

hsp

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