

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-12540-2019 (O&M)
Date of Decision:-10.5.2019

Vijay Singh

... Petitioner

Versus

State of Haryana

... Respondent

(II)

CRM-M-13289-2019 (O&M)

Rajpal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Rahish Pahwa, Advocate for the petitioner(s).

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

This order shall dispose of the aforesaid two petitions filed on behalf of petitioners Vijay Singh and Rajpal seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.124 dated 1.3.2018 at Police Station Kotwali, Faridabad, District Faridabad under Sections 406 and 420 of Indian Penal Code, 1860.

The FIR was lodged at the instance of Mandeep, wherein it has been alleged that he knows Rajpal, who approached him with a business

proposal and represented that in case the complainant invested some money he could get good returns. It is alleged that thereafter Rajpal introduced the complainant to his companions Kamlesh and Vijay, who also impressed upon him to invest money. The complainant is stated to have given an amount of ₹6.20 lacs through bank and another amount of ₹3 lacs in cash to Kamlesh apart from an amount of ₹20,000/- and ₹67,000/- by cheques to Vijay.

The learned counsel for the petitioner has submitted that infact the parties have entered into a compromise and a petition for quashing of FIR on the basis of compromise has already been filed on behalf of petitioner Rajpal, which is yet to be listed for preliminary hearing. It has further been submitted that the petitioner Vijay, in any case, has returned an amount of ₹87,000/-.

The learned State counsel, while opposing the petition, has submitted that since specific allegations have been levelled in the FIR, no case for grant of bail is made out. It has further been informed that pursuant to interim directions issued by this Court the petitioner Vijay Singh has already joined investigation.

Having considered rival submissions addressed before this Court and while bearing in mind that the petitioner Vijay Singh has already joined investigation and also that the petitioner Rajpal has compromised the matter and a petition for quashing of FIR on the basis of compromise has been filed, in my opinion, these are fit cases for grant of anticipatory bail to the petitioners. Both the petitions, as such, are accepted. While the interim directions issued by this Court vide order dated 28.3.2019 are hereby made

absolute subject to the condition that the petitioner Vijay Singh shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C., it is ordered that the petitioner Rajpal, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No