

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

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**C.R.M-M No.47882 of 2018 (O&M)
Date of Decision : 29.01.2019**

Sham Lal and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Naveen S. Bhardwaj, Advocate
for the petitioners.

Mr. Himmat Singh, D.A.G., Haryana.

Mr. Manish Jain and Mr. Mayur Kanwar, Advocates
for the complainant.

AJAY TEWARI, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.586 dated 28.08.2018 registered under Sections 420, 467, 468, 471, 120-B and 409 IPC at Police Station Sampla, District Rohtak.

The allegations were that the petitioners alongwith their son have misappropriated crores of rupees of the complainant company.

The main contention of the counsel for the petitioners is that they are the old parents and their accounts were being used as a parking place for some time but they have not received even a penny from the ill gotten unlawful gains and in fact had no knowledge about what their son was doing.

Counsel for the complainant and the learned Deputy Advocate General are not in a position to deny that no money was ever retained by the petitioners.

Keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners. Resultantly, the petition is allowed. In the event of arrest of the petitioners, they shall be released on bail by the Investigating Officer subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 29, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No