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

**CRM-M-50624-2018 [O&M]**

**Date of Decision : July 25, 2019**

Bhagwant Singh .... Petitioner

Versus

State of Haryana and another .... Respondents

**2. CRM-M-52288-2018**

Om Parkash .... Petitioner

Versus

State of Haryana and another .... Respondents

**CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.**

Argued by Mr. Sat Narain Yadav, Advocate,  
for the petitioners.

Mr. Ashish Sanghi, DAG, Haryana,  
for respondent-State.

Mr. Vivek Khatri, Advocate,  
for respondent No.2.

**SHEKHER DHAWAN, J.**

The above titled two petitions under Section 438 of the Code of Criminal Procedure are for grant of pre-arrest bail to petitioner, Bhagwant Singh and Om Parkash in Complaint Case No. 10 dated 24.09.2015 under Sections 420, 467, 468, 471, 120-B, 166 and 217 IPC

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(Annexure P/1) pending in the Court of learned Judicial Magistrate Ist Class, Kanina, District Mahendergarh.

2. Learned counsel for the petitioners contended that the main dispute is regarding conflict of business interest between the complainant and accused party. Present petitions for pre-arrest bail have been filed in a criminal complaint and the petitioners would not be required for investigation in the matter. More so, co-accused, namely, Ashok has already been admitted to bail by learned trial Magistrate vide orders dated 9.4.2019.

3. Learned State counsel and learned counsel for respondent no.2 contended that in fact, the petitioners are the main accused and there are serious allegations against them. So, their bail applications be dismissed.

4. Having considered the submissions made by learned counsel for the parties and appraisal of record of this case file and taking into consideration the nature of allegations against the petitioners and the fact that the petitioners have been arrayed as accused in a case on the basis of a private complaint and co-accused Ashok having already been released on bail by learned Magistrate, this Court is of the considered view that no useful purpose would be served by detaining the accused in custody as no recovery is to be effected and the custodial interrogation of the petitioners is not required.

5. Resultantly, the present petitions are allowed and the order dated 17.11.2018 and 18.1.2019 respectively passed by this Court granting interim bail to the petitioners are made absolute. In the event of arrest, the

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petitioners shall be admitted to bail to the satisfaction of learned trial Court.

**(SHEKHER DHAWAN)**  
**JUDGE**

**July 25, 2019**  
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| Whether speaking/reasoned? | : | Yes |
| Whether reportable?        | : | Yes |