

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

CRM-M-52394 of 2018
Date of Decision:13.05.2019

Ashok and anr

....Petitioners

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Subhash Godara, Advocate
for the petitioners.

Mr. Arun Kumar, AAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 149 dated 15.10.2018, under Sections 406, 409, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Buria, District Yamuna Nagar.

This Court on 29.11.2018, passed the following order:

'Heard.

The learned counsel for petitioners states that petitioners are ready to repay loan amount.

Let loan amount be repaid and receipt thereof be produced before this Court on next date of hearing.

The learned counsel for petitioners states that petitioners are ready to pay original/principal amount of Rs.35,00,000/- within a period of 15 days from today and remaining amount of interest will be paid in installments.

Notice of motion.

On behalf of State, Mr. Ramesh Kumar Ambavta, AAG Haryana, accepts notice. Copy of petition be supplied to learned State counsel during course of day. Reply be filed before next date of hearing.

Mr. R.S. Budhwar, Advocate, appeared on behalf

of complainant Bank, filed power of attorney on its behalf in Court today and same is taken on record.

Keeping in view the undertaking given by learned counsel for petitioners, petitioners are granted interim protection from their arrest, till next date of hearing only, subject to their complying with undertaking given by learned counsel for petitioners before this Court, for which no further extension of time will be granted.

Adjourned to 19.12.2018.

In the meanwhile, petitioners are also directed to join investigation. In the event of their arrest, they will be released on interim bail to the satisfaction of Arresting Officer, till next date of hearing only.'

Thereafter, on 10.05.2019, the following order was passed:

'On instructions from SI Ramesh Chander, learned State counsel has apprised the Court that as a matter of fact, both the petitioners have deposited the principle amount of Rs. 35 lacs with the Bank and also joined the investigation in terms of the order dated 29.11.2018.

Learned counsel for the complainant is opposing the bail and wishes to produce the complete list of defaulters uptill date as well as action taken against them.

Adjourned to 13.05.2019.

In the meanwhile, interim order to continue.'

In pursuance of the order dated 10.05.2019, photocopy of the list of defaulters has been produced. The same is taken on record.

It is contended by learned counsel for the petitioners that in terms of the order dated 29.11.2018, petitioners have joined the investigation.

On instructions from SI Ramesh Chander, the above

factual position is duly acknowledged by learned State counsel and stated that the custodial interrogation of the petitioners is no longer required in the present case.

In view of the above, the order dated 29.11.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

May 13, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no