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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27175-2019

Date of decision-17.12.2019

Ankit Kaushik and others

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karan Pathak, Advocate for
Mr. Gautam Dutt, Advocate for the petitioners.

Ms. Tanushree Gupta, DAG, Haryana.

None for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.074 dated 04.02.2019 under Sections 420, 406, 467, 468, 471 and 120-B of Indian Penal Code, 1860 registered at Police Station Sector-7, Faridabad. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 24.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Prayer is for grant of anticipatory bail in case FIR

No.074 dated 04.02.2019 under Sections 420/406/467/468/471/120-B IPC registered at P.S Sector 7, Faridabad.

Learned counsel for the petitioners contends that the petitioners had started an economic web site in the year 2017 in the name of Zookr.in which is, as per one of the clauses of the agreement signed between M/s Pickrr Technologies Pvt Ltd and the vendors, merely an intermediary. Through this website, they used to sell different articles to the customers online thereby facilitating sale of products and that the complainant had purchased one mobile phone make "NOKIA 3310 Refurbished" for a sum of Rs.999/- from M/s Shree Vinayak Traders. If there is any defect in the instrument, the petitioners cannot be held responsible.

Notice of motion for 16.7.2019.

Meanwhile, in the event of arrest, the petitioners shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioners are also directed to join the investigation and cooperate with the Investigating Agency, as and when required."

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer. He has invited the attention of the Court to the order dated 16.07.2019, whereby it has been stated by learned State counsel that the petitioners have joined the investigation and are not required for custodial interrogation.

Learned counsel further submits that during the pendency of the petition, parties have also compromised the dispute and have filed petition for quashing of the FIR on the basis of compromise, which is pending.

Learned State counsel does not dispute this fact that the matter stands compromised between the parties and the petition for quashing of the FIR on the basis of compromise has been filed.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 24.06.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.12.2019
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No