

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

220

CRM-M-28490 of 2019

Date of decision: 22.10.2019

Aditi Mittal and Another

..Petitioners

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Veneet Sharma Advocate
for the petitioners.

Mr. N.K. Banka, DAG, Punjab.

Mr. D.S. Malwai, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J.(ORAL)

The petitioners are seeking anticipatory bail in FIR No.70 dated 17.04.2019 under Sections 406, 420, 120-B and 506 of the IPC, registered at Police Station Phase-I, SAS Nagar, District Mohali.

Learned counsel for the petitioners contends that the FIR is the outcome of a business dispute between the parents of the petitioners and the complainant and his wife. The allegations pertain to the year 2013 and there is a delay of six years in lodging the FIR. He also contends that there was other litigation between the parents of the petitioners and the complainant, who was running the concern 'Al Anmol Jewels', which also resulted in the conviction of the complainant under Section 138 of the Negotiable Instruments Act, 1885, on 01.02.2019. He further contends that petitioner No.1 is 28 years of age while petitioner No.2 is 26 years of age and thus in the year 2013, they were 22 and 20 years old respectively and were students. He further contends that the

petitioners have been falsely implicated just to pressurize their parents to enter into a compromise with the complainant.

Learned counsel for the complainant states that the complainant had made a complaint in the year 2015 and they were summoned to face trial and therefore, it could not be said that there is delay of 6 years in lodging the FIR.

This Court, by the order dated 13.09.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Sukhwinder Singh states that the petitioners have joined investigation and are not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioners and keeping in view the fact that the petitioners have joined investigation, the order dated 13.09.2019 granting ad interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

October 22, 2019
Poonam Sharma

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No