

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

**CRM-M-29567-2019**

**Date of decision-14.11.2019**

**Ajay Kumar Aggarwal**

**...Petitioner**

**Vs.**

**State of Haryana**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Sumit Jain, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

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**MANOJ BAJAJ, J. (Oral)**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.287 dated 23.06.2019 under Sections 406 and 420 of Indian Penal Code, 1860 registered at Police Station City Tohana, District Fatehabad. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.07.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the complainant had sold his rice through one Rahul Sharma to M/S P.K. Overseas on 17.03.2019. However, the said consignment was unloaded at the premises of M/S Ram Bhagat Traders. Learned counsel contends that the petitioner is proprietor of M/S Ram Bhagat Traders who provides godowns on rent for storing the food-grains. According to him, the transaction of the complainant was*

*admittedly with Rahul Sharma and there is nothing to indicate the involvement of the petitioner. He submits that in the given facts, the custodial interrogation of the petitioner may not be necessary.*

*Notice of motion for 14.11.2019.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Dharampal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Dharampal further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.07.2019 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**14.11.2019**

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No