

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-33766-2017 (O & M)

Date of Decision: 19.07.2019

RAVINDER

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Anu Garg, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Complainant in person.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.338 dated 05.07.2017, under Section 406 of the Indian Penal Code ('IPC' - for short), registered at Police Station Shivaji Colony, District Rohtak.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner and the complainant were earlier partners and the complainant had sold his truck to the petitioner but the petitioner did not make the entire payment. She further contends that the financial condition of the petitioner is weak and the petitioner was earlier employed with the complainant. The petitioner is not involved in any other case. She also contends that the truck had been returned to the complainant after making part payment i.e. ₹1,60,000/-.

The complainant, who is present in Court, contends that he had received only a sum of ₹27,000/- and the petitioner had not paid the rest of the amount. The truck had also not been returned to him.

A coordinate Bench of this Court, by the order dated 13.09.2017, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on 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 Parveen Kumar, states that although the petitioner has joined investigation but he has not returned the money to the complainant.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 13.09.2017 granting interim bail to the petitioner is made absolute.

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

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 19, 2019
A.Kaundal

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