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

CRM-M No.29466 of 2020(O&M)

Date of Decision: 11.12.2020

Aakash Bhadana and another

.....Petitioners

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ram Bilas Gupta, Advocate and
Mr. Sarvesh Kumar Gupta, Advocate
for the petitioners.

Mr. Deepak Bhardwaj, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through
video conferencing.

The petitioners seek grant of anticipatory bail in case
bearing FIR No.353 dated 05.09.2020 registered under Sections
406, 420, 467, 468, 471, 506, 120-B IPC at Police Station
District Dabua, District Faridabad.

Notice of motion was issued on 24.09.2020 by
passing the following order:-

“This petition is by the petitioners Aakash Bhadana aged
22 years and Vikas Bhadana aged 20 years *inter alia* with a prayer for

grant of anticipatory bail in case FIR No.353 dated 05.09.2020 under Sections 406/420/467/468/471/506/120-B IPC registered at PS Dabua, District Faridabad.

Learned counsel based upon the pleadings submits that though not admitted, but as per the allegations in the FIR, a total of Rs.25,55,000/- was deposited by the complainant side which amount was actually handled by the father of the petitioners. These transactions are allegedly starting from December, 2018. He then submits that in December, 2019 itself, Rs.8 lakhs was returned to the complainant party through Panchayat.

Learned counsel then submits that in order to show their *bona fides*, he has instructions from the petitioners and their family members that they would deposit Rs.8 lakhs with Investigating Officer within one month from today. He submits that the family with great difficulty is able to collect the amount because huge expenses were incurred on the medical treatment of the maternal uncle of the petitioner who ultimately died on 01.11.2019.

Notice of motion.

On the asking, Mr. Rajiv Goel, DAG Haryana accepts notice through video conferencing. He submits that the petitioners do not deserve the concessions of anticipatory bail as huge amount was transferred in the accounts of the petitioners also.

Learned counsel for the petitioners submits that because of COVID situation also, retaining of the petitioners behind the bars would be dangerous to their life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioners to join the investigation and appear before the Investigating Officer.

List on 11.12.2020

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal/surety

bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) CrPC.

In addition to the bail bonds/surety and in pursuance to the offer made by counsel for the petitioners, they would deposit Rs.8 lakhs with Investigating Officer within *one month* from today which shall await further orders by the trial Court.

(Girish Agnihotri)
Judge”

Learned counsel for the petitioners submits that the in compliance of the aforesaid order, the petitioners have joined the investigation and have also deposited an amount of Rs.8 lacs with the Investigating Officer within time prescribed.

Learned State counsel on instructions from ASI Kamal Jit Singh submits that the petitioners have joined the investigation on 20.10.2020 to the entire satisfaction of the Arresting Officer and they are not required for further investigation in the case. Learned State counsel also admitted the factum of deposit of amount of Rs.8 lacs with the Investigating Officer.

In view of above, order dated 24.09.2020 is made absolute. However, petitioners are directed to join the investigation as and when required to do by the Investigating Officer and shall abide by the conditions as envisaged under

Section 438(2) Cr.P.C.

11.12.2020

(RAJ MOHAN SINGH)
JUDGE

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No