

In virtual Court

CRM-M-31022-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31022-2020 (O&M)
Date of decision: 09.10.2020

Ashok Kumar Maheshwari

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ramnish Puri, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.314 dated 17.07.2020 under Sections 407, 34 IPC and Section 411 IPC (added later on), registered at Police Station Kundli, District Sonipat.

Learned counsel for the petitioner submits that the allegations in the FIR, registered at the instance of one Sumita Gupta are that she has booked a truck for transporting 400 boxes of Rajnigandha to West Bengal, however, the same were taken to Gujarat and were sold. It is further stated in the FIR that the petitioner has also purchased some cartoons from co-accused. It is further submitted that the petitioner himself is a distributor of Rajnigandha and under a bonafide impression, he has purchased the same. It is also submitted that in

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order to show his bonafide, the petitioner is ready to deposit a sum of Rs.2.00 lacs with the Illaqa Magistrate/trial Court, without prejudice to his right of defence and subject to final outcome of the case.

Notice of motion.

On asking of the Court, Mr. Deepak Kumar Grewal, DAG, Haryana accepts notice on behalf of the respondent-State and has not disputed the factual position.

After hearing learned counsel for the parties, considering the fact that allegations against the petitioner are primarily under Section 411 IPC and he is ready to deposit a sum of Rs.2.00 lacs, this petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

The petitioner is granted four weeks time to deposit the aforesaid amount with the Illaqa Magistrate/trial Court, which will be kept in an FDR, without prejudice to his right of defence and subject to final outcome of the case.

It will be open for the Investigating Officer to issue a notice in writing to the petitioner to join him in the investigation.

Disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

09.10.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No