

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(201)

CRM-M-9396-2021

Date of decision: 02.11.2021

Angrej Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. S.S.Dinarpur, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana
for the respondent-State.

Mr. Varunaaditya Gupta, Advocate for
Mr. Ashit Malik, Advocate
for the complainant.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.441 dated 18.11.2020, registered for offences under Sections 406 and 420 of the Indian Penal Code, 1860, at Police Station Ladwa, District Kurukshetra (Annexure P-1).

While granting interim protection to the petitioner, this Court passed the following order on 05.04.2021 in the main case:-

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case; there is no other criminal case in which the petitioner is involved; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the

same only projects a case of civil nature; referring to the alleged statement of the complainant made by her before the police it is submitted that she had herself not wanted to pursue the criminal proceedings against the petitioner; only to show his bona fide the petitioner is ready to deposit Rs.2 lakhs before the Trial Court and that the petitioner is also ready and willing to join the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana accepts notice on behalf of the respondent-State. Mr. Saurabh Kapoor, Advocate puts in appearance on behalf of the complainant.

For arguments, adjourned to 29.07.2021.

In the meanwhile, subject to the petitioner depositing Rs.2 lakhs before the Trial Court within two weeks from today and the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.441 dated 18.11.2020 under Section 406, 420 IPC registered at Police Station Ladwa, district Kurukshetra, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

In case the petitioner deposits the aforesaid amount of Rs.2 lakhs before the Trial Court, the same be disbursed to the complainant on her furnishing security to the satisfaction of the Trial Court. Such deposit and disbursement would abide by the final decision to be passed in the petitioner's trial and would also be without prejudice to the complainant's rights to initiate any other proceeding(s) that the complainant have in accordance with law.”

Counsel for the complainant submits that the amount of Rs.2,00,000/- deposited by the petitioner in compliance of the order dated 05.04.2021, has been withdrawn by the complainant.

State counsel has invited the attention of the Court to the interim order dated 29.07.2021, wherein statement has been made on behalf of the State that the petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 05.04.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

02.11.2021
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No