

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

CRM-M-14815-2021 (O&M)

Date of decision: 12.07.2021

Deepak Kumar Jain

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Deepanshu Mehta, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Deepak Kumar Jain, an accused in FIR No.327 dated 03.06.2019, for offences under Sections 217, 218, 219, 409, 420, 467, 468, 471 and 120-B IPC, registered with Police Station Central, District Faridabad.

Briefly stated the facts of the case as per prosecution story are that, that petitioner Deepak Kumar Jain in connivance with his co-accused had generated treasury challan for an amount of Rs.3,43,000/- which had already been generated by him way back on 10.06.2016 in the name of one Kapil Gupta; as the prosecution story goes, the second treasury challan in the sum of Rs.3,43,000/- had been generated by the petitioner in the name of Ms. Shashi Bala Aggarwal; on matter being

reported to the police, formal FIR was recorded.

Apprehending his arrest in this case, petitioner/accused had approached the Court of Sessions at Faridabad by moving an application for grant of pre-arrest bail. His such application which was assigned to Addl. Sessions Judge, Faridabad, was, however dismissed, vide order dated 18.03.2021. Feeling aggrieved, the petitioner has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

The amount involved in this case to the tune of Rs.3,43,000/- has since been deposited by the petitioner in the State treasury as per undertaking given, recorded in the interim order dated 05.04.2021.

This fact is conceded by learned State counsel on instructions from SI Vijay Singh. Though, he has stated that the petitioner is involved in another criminal case bearing FIR No.1073 dated 25.09.2017 for offences under Sections 420, 467, 468, 471, 409, 120-B and 201 IPC registered with Police Station Central Faridabad but as pointed out by learned counsel for the petitioner, he is on regular bail in that case, as per copy of order, Annexure P-5. Therefore, under the circumstances, since the petitioner has joined the investigation and deposited the amount involved in the State treasury, his custodial interrogation is not required and the concession of pre-arrest bail can be granted to him.

Accordingly, the present petition is allowed. The interim bail

granted to the petitioner, vide order dated 05.04.2021 is made absolute, subject to the following conditions:-

- 1. that the petitioner shall make himself available for investigation by a police officer as and when required;
- 2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3. that he shall not leave India without prior permission of the Court.
- 4. that he shall surrender his passport before the Investigating Officer and if he is not having passport, then, shall file the affidavit in that regard.

In case, the petitioner violates any terms & conditions, on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

12.07.2021
sumit.k

(H.S. MADAAN)
JUDGE

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