

205/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH
 (through video conferencing)

CRM-M-25572-2020
Decided on : 18.01.2021

Gurlal Chahal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashok Giri, Advocate
 for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.470 dated 18.08.2020 for the offences under Sections 406, 420, 506 IPC 1860 and Section 24 of Immigration Act registered at Police Station City Karnal District Karnal.

Learned counsel for the petitioner states that pursuant to order dated 17.11.2020, passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ASI Ashok Kumar, states that no doubt the petitioner has joined the investigation subsequent to the previous orders of this Court, however, recovery of Rs.20 lakhs, which was given to him in cash by the complainant has not yet been recovered.

On a pointed query to learned State counsel as to whether any material had come on record to show that other than the cash any amount had been given to the petitioner through cheque/draft/RTGS, the answer was in the negative.

In view of the above, the petition is allowed and interim order dated 28.08.2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C as no convincing and cogent reason has been given by the State for requiring the custodial interrogation of the petitioner.

18.01.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No