

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

CRM-M-34769-2021

Date of decision-24.11.2021

Honey Joshi

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.
Mr. Bhupender Singh, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.281 dated 11.08.2020 under Sections 406, 420, 506, 120-B and 370 Indian Penal Code, 1860, Sections 10 and 24 Immigration Act, 1983 and Section 12 Passport Act, 1967 registered at Police Station Jind Sadar, District Jind. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.09.2021, whereby while issuing notice of motion, the interim protection was extended to the petitioner. The said order reads as under:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 281 dated 11.8.2020 registered under Sections 406, 420, 506, 120 B, 370 IPC, under Sections 10, 24 of Immigration Act and under Section 12 of Passport Act at Police Station Jind Sadar, District Jind. As per allegations in FIR, an amount of Rs. 270000/- was received by 3 accused from complainant. Out of this amount, an amount of Rs. 60000/- has received by petitioner from complainant.

Learned counsel for petitioner states that this amount has been given to him by complainant as complainant had taken a loan of Rs. 60000/- from the mother of petitioner. However, with a view to show his bonafide, petitioner is willing and

ready to deposit an amount of Rs. 60000/- in the name of complainant with the Investigating Officer to be further disbursed to complainant.

Notice of motion.

Mr. Surender Singh, AAG Haryana accepts notice on behalf of State.

Adjourned to 24.11.2021.

In the meanwhile, in the event of arrest of petitioner, he shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438 (2) Cr.P.C. This shall however be subject to petitioner's depositing an amount of Rs. 60000/- (Rs. sixty thousand) in the name of complainant with Investigating Officer to be further disbursed to complainant."

Learned counsel for the petitioner further contends that pursuant to the above order, the requisite amount has already been deposited through demand draft No.240999 dated 22.10.2021 and the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Prem Singh does not dispute the above fact and states that the petitioner has joined the investigation. He further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.09.2021 is made absolute.

24.11.2021

vanita

Whether speaking/reasoned :

Whether Reportable :

(MANOJ BAJAJ)
JUDGE

Yes

No

Yes

No