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

CRM-M No.41630 of 2020
Date of Decision: 22.04.2021

Kamlesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sudhir Hooda, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Petitioner seeks anticipatory bail in case bearing FIR No.617 dated 28.11.2020 registered under Sections 406 and 420 IPC at Police Station Quilla, District Panipat.

Notice of motion was issued on 11.12.2020 by passing the following order:-

“The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the allegations are totally absurd as no prudent man would pay different instalments of Rs.4 lacs in order to avail loan of Rs.5 lacs. There is no such documentation done in respect of any assurance given by the petitioner. Similarly, the advance payments of Rs.56,000/-, Rs.50,000/- and Rs.40,000/- by other persons in order to avail loan are also absurd. Petitioner was granted anticipatory bail by

the Court of Session on 03.12.2020, but the same has been declined, thereafter, on the alleged plea that the petitioner did not cooperate with the Investigating agency. Learned counsel for the petitioner further submits that without the loan being sanctioned, the payments towards instalments would remain debatable. The alleged non cooperation by the petitioner is only on account of his inability to facilitate recovery of non existent loan instalments.

Notice of motion for 01.02.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 18.12.2020 at 11.00 a.m. and in the event of her arrest, she shall be enlarged on ad interim bail, subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel on instructions from ASI Rana Pratap submits that the petitioner has joined the investigation and she is not required for any further investigation in the case.

In view of the above, the order dated 11.12.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and she shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

22.04.2021

sandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No