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

**CRM-M No.37069 of 2019
Date of Decision:06.10.2021**

SUNDER LALPetitioner
Vs
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Diwan S. Adlakha, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. S.K Verma, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.1014 dated 16.08.2019 registered under Sections 406, 420 of IPC, at Police Station Jagadhri City, District Yamuna Nagar.

Learned counsel for the petitioner submits that a loan of Rs.5 lacs was advanced to complainant vide receipt dated 05.07.2019. Complainant re-paid the loan only to the extent of Rs.2 lacs from her bank account No.7512158687 in favour of the petitioner on 20.07.2019. Thereafter, instead of paying the remaining amount, the complainant got the present FIR lodged.

Notice of motion was issued on 04.09.2019 and interim anticipatory bail was granted to the petitioner.

Learned State counsel submits that though the petitioner has joined the investigation but he has not facilitated

the recovery of the amount in question.

At this stage, learned counsel for the complainant, opposed the bail on the ground that complainant has denied her signatures on the receipt with the plea that her signatures were obtained on a blank paper. The perusal of receipt Annexure P2 would show that the receipt was executed on 05.07.2019 in the presence of witnesses namely Abhishek and Pooja. Even if the assertion and denial made by the parties, at this stage are to be considered, the same would fall under the domain of interpretation of documents and would be adverted to by the Court at the relevant stage. Since the petitioner has joined the investigation and the recovery of amount (if any) would be subject to the adjudication by the Court.

In view of stand taken by the parties, I deem it appropriate to confirm the order dated 04.09.2019. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

06.10.2021

Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No