

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

CRM-M-50961-2019

Date of decision-15.11.2021

Amit Pal Singh Kapoor

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harsh 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.87 dated 06.03.2018 under Sections 420, 406 and 120-B Indian Penal Code, 1860 registered at Police Station N.I.T, Faridabad, Haryana. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 02.12.2019, whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the dispute is regarding non-payment of loan to the complainant-bank, which

was allegedly taken by the petitioner in the year 2015. He submits that for 2 years continuously, installments were paid and the account in question turned NPA in June, 2017. He submits that the dispute is purely of civil nature and in the given facts, custodial interrogation of the petitioner may not be required.

Notice of motion for 23.4.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the

satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, 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. He has further produced the letter dated 08.11.2021 written to the complainant/Bank seeking details of the pending loan amount. He submits that the sum of Rs.2 lacs was also paid through cheque bearing No.016843 dated 08.11.2021.

Learned State counsel who is assisted by ASI Mahavir Singh does not dispute this fact that the petitioner has joined the investigation. According to him, while getting loan, he had produced the registration certificate of two wheeler instead of car. He further states that the petitioner is not required for custodial interrogation for the time being. According to him, while getting loan, he had produced the registration certificate of two wheeler instead of car.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 02.12.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

15.11.2021

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