

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-3507-2022

Date of decision : 19.07.2022

Shri Anil Khurana and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Harkirat S. Jagdev, Advocate
for the petitioners.

Mr.Munish Sharma, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.732 dated 02.12.2021 registered under Sections 420, 406, 506, 34 IPC at Police Station Narnaund, District Hansi, Hisar.

On 31.01.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel has argued that as per allegations, complainant Satbir Sharma being agent to procure paddy for firms, namely, M/s A.K.M. Foods Pvt. Ltd. and M/s Mastana Foods Pvt. Ltd., had supplied the material, but the buyer-accused have not made the outstanding payment of approximately Rs.31 lacs to the complainant. Learned counsel has further pointed out that the complainant had been supplying the material to the firms w.e.f. 2015 and against the supply of material worth of Rs.1 crore 29 lacs to M/s A.K.M. Foods Pvt. Ltd. a sum of Rs.1 crore 14 lacs has

already been paid. According to the learned counsel, approximately Rs.14.5 lacs remains to be paid to the complainant. Similarly, a payment of approximately Rs.16.5 lacs is due to be paid to M/s Mastana Foods Pvt. Ltd. Learned counsel has argued that the dispute between the parties is purely of civil nature and as the case of the prosecution is based upon documentary material, therefore, the custodial interrogation of the petitioners, who are directors of these two firms may not be necessary.

Notice of motion for 19.07.2022.

At this stage, Mr. Hitesh Bhardwaj, Advocate appears on behalf of the complainant.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

31.01.2022

**(MANOJ BAJAJ)
JUDGE"**

Learned counsel for the petitioners has submitted that in pursuance of the said order, the petitioners have joined the investigation.

Learned State counsel, on instructions from SI Jagdish Chander, has submitted that the petitioners have joined investigation. It is further submitted that on investigation, the dispute in the present case is found to be of civil nature and thus, a cancellation report has been prepared and the same is likely to be submitted.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 31.01.2022,

not required for further investigation, the present petition is allowed and the interim order dated 31.01.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

July 19, 2022
Davinder Kumar

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