

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

201

**CRM-M-4735-2021
Date of Order: 13.01.2022**

ROBIN PRASHER

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Lekh Raj Sharma, Advocate
for the petitioner.

Mr. Harkesh Manuja, Advocate
for the complainant.

Mr. Gurmeet Singh, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

The hearing of the case is being held through video conferencing
on account of restricted functioning of the Courts.

The petitioner prays for grant of pre-arrest bail in a criminal case
arising from FIR No.806, dated 09.12.2020, registered under Section 406/420
IPC at Police Station City Sonipat, District Sonipat, Haryana.

On 15.02.2021, the following order was passed:-

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

Learned counsel for the petitioner contends that petitioner has not disputed the receipt of amount of Rs.8 lacs from the complainant but the same was invested in trading business on the asking of the complainant Karambir Bhoria. The petitioner was to return the aforesaid amount with interest but could not do so due to heavy losses suffered by him during Covid-19. In the legal notice dated 04.07.2020 got issued by the complainant, factum of borrowing an amount of Rs.8 lacs by the petitioner from the complainant came to fore. An amount of Rs.3 lacs was returned to the complainant and the remaining amount of Rs.5 lacs was to be returned up to June, 2020 for which a cheque dated 12.06.2020 was also given to the complainant which on presentation was dishonoured by the bank. Learned counsel for the petitioner has relied upon legal notices dated 15.07.2020

and 21.07.2020 got issued by Rajbir Singh and Mehar Chand in the similar manner whose amounts have been invested by the petitioner.

Notice of motion for 04.05.2021.

At this stage Mr. Harkesh Manuja, Advocate appears on behalf of the complainant.

Till the next date of hearing, arrest of the petitioner shall remain stayed.”

The learned counsel representing the State of Haryana has stated that the petitioner has not only joined the investigation but has cooperated in the same, therefore, he is not required for further custodial interrogation.

Sh. Harkesh Manuja, learned counsel representing the first informant contends that the petitioner after undertaking to repay the amount, has failed to fulfil his promise.

At this stage, it will not be appropriate for the Court to go into the merits of the case. The petitioner has already joined the investigation and the Police does not require him for custodial interrogation.

Hence, the interim protection granted on 04.10.2021, is ordered to be made absolute.

With these observations, the present petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

January 13, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No