

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209-A

CRM-M-7663-2022
Decided on : 05.04.2022

Pradeep Jain

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Manoj Pundir, Advocate
for the complainant.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 26 dated 17.01.2022 under Sections 406 and 420 of the Indian Penal Code, 1860 and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 registered at Police Station Rohtak Civil Lines, District Rohtak.

On 23.02.2022, a Coordinate Bench of this Court was pleased to pass the following order:

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.26 dated 17.01.2022 registered under Sections 406 & 420 of the IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 at Police Station Rohtak Civil Lines, District Rohtak.

Learned Senior counsel appearing for the petitioner argues that co-accused namely, Reena Jain, against whom the similar allegations, as alleged against the petitioner, have been alleged, has already been extended the concession of anticipatory bail by this Court while passing order in CRM-M-5292-2022 on 09.02.2022 and as the petitioner is ready to join and cooperate in investigation so as to elicit the truth behind the allegations, he may kindly be granted the benefit of anticipatory bail.

Notice of motion for 01.04.2022.

Mr. Gaurav Bansal, AAG, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State of Haryana.

Learned State counsel concedes the factum that similarly situated co-accused namely, Reena Jain against whom similar allegations, as alleged against the petitioner, has already been extended the concession of anticipatory bail by this Court while passing order in CRM-M-5292-2022 on 09.02.2022.

Learned counsel appearing for the complainant submits that the petitioner has defrauded the complainants who were made to believe that the amount for which they were entitled for while working with the company has been used for purchasing a land, which fact was ultimately found to be bogus and as all the documents relating to the said transactions are in the possession of the petitioner, custodial interrogation of the petitioner is necessary.

Learned Senior counsel appearing for the petitioner submits that in case, petitioner is allowed to join investigation, he will cooperate in each and every aspect, including the allegations that the amount belonging to the complainants was used for purchasing a land in Rajasthan and in case, any document, required for the assistance of the Investigating Agency, is in the possession of the petitioner, the same will also

be produced, if demanded.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the similarly situated co-accused has already been extended the concession of anticipatory bail by this Court while passing order in CRM-M-5292-2022 on 09.02.2022 coupled with the fact that the learned Senior counsel appearing for the petitioner has assured this Court that the petitioner will join and cooperate with the Investigating Agency in each and every aspect, the purpose of investigation will be served in case the petitioner is directed to join and cooperate in investigation.

The petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

- i. That he shall make himself available for interrogation by the police officer as and when required.*
- ii. That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.*
- iii. That he shall not leave India without prior permission of the Court.*
- iv. That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C*

February 23, 2022

*(HARSIMRAN SINGH SETHI)
JUDGE"*

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation

and is not involved in any other case.

Learned State counsel, on instructions from ASI Amit Kumar, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 23.02.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 23.02.2022 is ordered to be made absolute.

However, 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 application.

(VIKAS BAHL)
JUDGE

05.04.2022
Mehak

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