

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269

CRM-M-10237-2022
Decided on : 05.04.2022

Parveen 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 10.03.2022, this Court was pleased to pass the following order:

“Learned Senior Counsel for the petitioner inter alia contends that in the present case, co-accused Reena Jain as well as Pradeep Jain have already been granted the concession of interim protection by the Coordinate Bench of this Court vide orders dated 09.02.2022 and 23.02.2022 respectively passed in CRM-M-5292-2022 and CRM-M-7663-2022

respectively.

Learned Senior Counsel for the petitioner in addition to the arguments noticed in the order passed in the case of co-accused Reena Jain, has further submitted that as per the FIR, no specific role has been attributed to the present petitioner and even as per the version of the complainants, their entire transaction was with the company and thus, at best, if there is any liability, the same has to be of the company and not of the petitioner.

Notice of motion.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of State of Haryana and seeks time to get instructions. Mr. Manoj Pundir, Advocate appears on behalf of the complainant and states that he wishes to place on record certain documents to show that the petitioner is not entitled to anticipatory bail.

Adjourned to 01.04.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

To be heard alongwith CRM-M-7663-2022. ”

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 10.03.2022 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 10.03.2022 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