

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

206

CRM-M-12627-2022

Date of Decision : **September 06, 2022**

SUSHIL

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. K.S.Godara, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

Mr. Aditya Sanghi, Advocate and
Ms. Yagsimant Attri, Advocate
for the complainant.

JASGURPREET SINGH PURI. 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.61 dated
25.2.2021 under Sections 420, 406, 506, 34 IPC, registered at Police
Station Adampur, District Hisar.

It has been submitted by the learned counsel for the
petitioner that in pursuance of the order passed by this Court on
25.3.2022, the petitioner has already joined the investigation and he has
fully co-operated with the investigation process. He submitted that the
aforesaid order may be made absolute. He further submitted that it is a
case of civil dispute, if any, between the parties which has been given a
criminal flavour.

On the other hand, the learned State counsel has filed a status

report by way of affidavit of DSP, Detective, Hisar and while referring to para No.6 of the same, he submitted that the petitioner was joined in the investigation on 28.6.2022 and he was again directed to join the investigation of the case on 10.7.2022 but then he did not come and join the investigation. He further submitted that although the petitioner has joined the investigation on 28.6.2022 but the recovery of amount is yet to be made from the petitioner.

Learned counsel for the complainant has also opposed the grant of anticipatory bail to the petitioner.

I have heard the learned counsels for the parties.

In pursuance of the order dated 25.3.2022 the petitioner has already joined the investigation. However, an objection raised by the learned State counsel that on subsequent date he did not come.

At this stage, the learned counsel for the petitioner has stated that he undertakes to further join the investigation as and when called by the IO and will cooperate with the investigation process.

Therefore, such an objection raised by the learned State counsel will not be sustained. Another objection taken by the learned State counsel is that the recovery of amount is yet to be made. The second objection is also not sustainable in view of the fact that anticipatory bail cannot be denied only on the ground that when there is a financial dispute then the recovery is yet to be made by the police.

In view of the aforesaid position, the present petition is allowed and order dated 25.3.2022 is, hereby, made absolute.

However, anything observed here-in-above shall have no

effect on the merits of the case and is meant for deciding the present petition only.

September 06, 2022

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(JASGURPREET SINGH PURI)
JUDGE

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