

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

205

CRM-M-13069-2022 (O&M)

Date of Decision: 23.11.2022

Rohit Rojer

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. A.D.S.Jattana, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by ASI Jagtar.

Mr. Sunil Duggal, Advocate, for
Mr. Nirmal Singh, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.67 dated 11.03.2022 at Police Station Chhachhrauli, District Yamuna Nagar, under Sections 406/420/506/120-B IPC.
2. The allegations, in nutshell, are that the petitioner had defrauded the complainant of an amount of Rs.4.40 lakhs on the pretext of providing job to the complainant.
3. Pursuant to directions issued by this Court on 29.03.2022, which were later modified vide order dated 25.04.2022, the petitioner has deposited an amount of Rs.1 lakh before the trial Court.
4. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.

5. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 29.03.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. It is clarified that the amount of Rs.1 lakh, as stated to have been deposited by the petitioner before the trial Court, shall be got invested in FDR in some Nationalized Bank. The trial Court/Illaq Magistrate shall, however, issue specific directions to the Bank concerned not to entertain any request for encashment of the same except under orders of the Court. In case, the petitioner is ultimately found guilty and convicted and such conviction attains finality, the complainant shall be entitled to proceeds of said FDR. However, in case the accused/petitioner is found innocent and such acquittal attains finality, the petitioner shall be entitled to proceeds of the said FDR along with interest.

23.11.2022

Vimal

(GURVINDER SINGH GILL)
JUDGEWhether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**