

**209**

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

CRM-M-14529-2022

Date of decision : 31.10.2022

Satish Kumar

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. K.S. Dhaliwal, Advocate and  
Mr. K.P.S. Virk, Advocate and  
Mr. J.S. Kang, Advocate for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Gaurav Jangra, Advocate for  
Mr. Partap Singh, Advocate for the complainant.

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**VIKAS BAHL, J. (ORAL)**

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.67 dated 09.03.2022 registered under Sections 406, 420, 506 of the Indian Penal Code, 1860 at Police Station Civil Lines Jind, District Jind.

On 06.04.2022, this Court had passed the following order:-

*“Learned counsel for the petitioner, inter alia, contends that the present dispute is purely a civil dispute and son of the petitioner and complainant had entered into partnership in the brick klin business and and the said business suffered loss on account of which the petitioner as well as the complainant have also suffered financially. Learned counsel for the*

*petitioner has submitted that without admitting his liability and only to show his bona-fide, the petitioner is ready to get a demand draft of Rs.2 lakhs in the name of the complainant on the next date of hearing.*

*Notice of motion for 30.05.2022.*

*On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of State of Haryana and Mr. Karan Singh, Advocate, appears on behalf of the complainant and seek time to get instructions.*

*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.*

*Petitioner is directed to get a demand draft of Rs.2 lakhs in the name of the complainant on the next date of hearing.*

*It is made clear that in case the said demand draft is not brought on the next date of hearing, then the interim order granted in favour of the petitioner would be liable to be vacated.”*

Thereafter, on 30.05.2022, the following order was passed:-

*“Learned counsel for the petitioner has submitted that in pursuance of order dated 06.04.2022, a demand draft of Rs.2 lakhs, in the name of complainant, is being handed over to learned counsel for the complainant.*

*Learned counsel for the complainant has stated that he has received a demand draft of Rs.2 lakhs from learned counsel for the petitioner and has stated that he has further given the said cheque to the complainant.*

*Learned counsel for the petitioner has submitted that further efforts are being made to finally resolve the matter.*

*Adjourned to 30.08.2022.*

*Interim order to continue.”*

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 06.04.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Deepak, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation. It is also submitted that challan, in the present case, has already been presented against the petitioner.

Learned counsel for the complainant has pointed out that out of the entire amount of Rs.65,50,000/-, only an amount of Rs.15,22,000/- has been paid and the entire amount has not been paid.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid orders dated 06.04.2022 and 30.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation and the fact that the present dispute has civil trappings and is based on documentary evidence, the present petition is allowed and the interim order dated 06.04.2022 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.

**31.10.2022**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**