

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

214

CRM-M-20260-2021 (O&M)  
*Date of Decision:- 21.01.2022*

PARVEEN GARG AND ANR

... *Petitioner*

*Versus*

STATE OF HARYANA

... *Respondent*

**CORAM:** *HON'BLE MR. JUSTICE MANOJ BAJAJ*

**Present:** Mr. Anurag Gulati, Advocate,  
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Naveen Kaushik, Advocate, for the complainant.

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**MANOJ BAJAJ, J.(Oral)**

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.115, dated 14.3.2021, registered under Sections 406, 420 of IPC, Police Station Pundri, District Kaithal. The petitioner apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 20.5.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that as per the allegations in the FIR

itself, the petitioners being commission agents were engaged in business dealings with the complainant for a long time, who had voluntarily deposited the amount with them. It is further pointed out that actually the father of the complainant, namely, Shamsher Singh was involved in business transactions with the petitioners, whereas the FIR has been lodged to falsely implicate the petitioners to pressurize them to give up their claim against Shamsher Singh, who owes approximately three lacs towards them. According to him, even otherwise, the dispute, if any, between the parties is purely of civil nature, therefore, the custodial interrogation of the petitioners may not be necessary.

Notice of motion for 27.10.2021.

At this stage, Mr. Rajesh Duhan, Advocate appears on behalf of the complainant.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners further states that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Shamsher Singh does not dispute this fact that the petitioners have joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 20.5.2021 is made absolute.

21.01.2022  
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(MANOJ BAJAJ)  
JUDGE

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|----------------------------|-----|
| Whether speaking /reasoned | Yes |
| Whether Reportable         | No  |