

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(222)

CRM-M-22935-2022

Date of decision: - 29.09.2022

Mahindro

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. R.K. Agnihotri, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.155 dated 01.05.2022, registered under Sections 406, 420 and 120-B IPC, at Police Station Ram Nagar, District Karnal.

On 25.05.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“By filing this petition under Section 438 Cr.P.C., the petitioner has sought pre-arrest bail in case FIR No.155 dated 01.05.2022 under Sections 406, 420, 120-B IPC, Police Station Ram Nagar, Karnal, District Karnal.

The FIR was lodged on the complaint of one Shish Pal, who alleged that he is 80% handicapped. The petitioner introduced co-

accused Arjun to the complainant. She stated that Arjun was working as a Manager in the State Bank and he would be able to arrange a loan for the complainant. The complainant handed over to him copy of the sale-deed of his house, PAN card, Aadhar card, Bank passbook, Cheque Book, etc. The complainant also paid an amount of Rs.1,50,000/- to the petitioner and Arjun to enable them to secure a loan for the complainant. Later on, the complainant came to know that Arjun was not working as Manager in the State Bank and that he had been cheated by the petitioner and said Arjun. Ld. Counsel for the petitioner states that the allegations against the petitioner are totally false. She is a house wife and illiterate, who has nothing to do with the business of securing loan from any Bank. She is ready to join the investigation and cooperate with the Investigating Agency.

Notice of motion for 25.08.2022.

*Meanwhile, in the event of arrest, the petitioner **Mahindro** shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Sections 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.*

(HARINDER SINGH SIDHU)
JUDGE

May 25, 2022"

Thereafter, on 15.09.2022, this Court was pleased to pass the following order: -

"Learned State counsel has submitted that the petitioner is required for further investigation.

The petitioner is directed to again join investigation on 23.09.2022 at 11:00 a.m.

Adjourned to 29.09.2022.

Interim order to continue.

(VIKAS BAHL)
JUDGE

September 15, 2022"

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the

investigation.

Learned State counsel, on instructions from ASI Pawan Kumar, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid order dated 25.05.2022 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 25.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final 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.

September 29, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No