

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201-2

CRM-M-23833-2022

Decided on :13.07.2022

Bikramjeet Singh

. . . Petitioner

Versus

State of Haryana

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Vazir Singh Mor, Advocate and
Ms. Harmanpreet Kaur (Simmi), Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Ashit Malik, Advocate
for the complainant.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 239 dated 10.08.2021 registered under Sections 420, 406 and 120-B of the Indian Penal Code, 1860 (Sections 3 and 4 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 added later on) registered at Police Station Ram Nagar, District Karnal.

On 27.05.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the present case has civil trappings and the complainant is also promoter of the company in question and the money in question has been deposited in the account of the company and the company has not been made an accused. It is further submitted that the petitioner is ready to pay an amount of Rs.1.5 lacs to the complainant without admitting his liability.

Notice of motion for 13.07.2022.

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.

The petitioner is directed to hand over the demand draft amounting to Rs.1.5 lacs prepared in the name of the complainant to the concerned Investigating Officer within a period of 10 days from today and the Investigating Officer is further directed to hand over the same to the complainant before the next date of hearing.

It is made clear that in case, the said demand draft of the abovesaid amount is not prepared and hand over to the complainant, then the interim order granted would be liable to be vacated.

To be heard alongwith CRM-M-20286-2022. ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order, the petitioner has already handed over the demand draft to the tune of Rs.1.5 lakhs in the name of complainant to the Investigating Officer and the same has been handed over by the Investigating Officer to the complainant. It is further submitted that the petitioner has joined the investigation.

Learned counsel for the State has submitted that although, the petitioner has joined the investigation but the entire amount has not been recovered from the petitioner.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated

27.05.2022 and also the fact that the petitioner has joined the investigation and the demand draft to the tune of Rs.1.5 lakhs has already been paid by the petitioner to the complainant, the present petition is allowed and the interim order dated 27.05.2022 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.

(VIKAS BAHL)
JUDGE

July 13th,2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No