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

CRM-M-27442-2021

Date of Decision: 30.08.2022

Sandeep Verma @ Bablu

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Bhupander Ghanghas, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR no.137 dated 22.05.2021, under Sections 420, 120-B, 34 IPC, registered at Police Station Adampur, District Hisar.

It has been submitted by the learned counsel for the petitioner that in pursuance of the orders passed by this Court on 27.10.2021 the petitioner has already joined investigation and he has fully cooperated with the investigation process. He further submitted that the petitioner is a jeweller and he had only supplied the gold which was thereafter pledged with the bank by the other co-accused for obtaining a loan and it was alleged that the gold was fake. He further submitted that the gold was duly examined by the complainant himself who was the authorised valuer of the bank before disbursing the loan and thereafter, the allegations were made that the petitioner had supplied spurious gold. He further submitted that be that as it may, the

petitioner has already joined investigation and therefore, has prayed that the order dated 27.10.2021 may be made absolute.

On the other hand, Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana has submitted that it is correct that in pursuance of the order dated 27.10.2021 passed by this Court, the petitioner has already joined investigation. He has however submitted that there is a recovery to be made from the petitioner to the tune of Rs. 3,50,000/-.

I have heard the learned counsel for the parties.

This Court had granted interim bail to the petitioner vide order dated 27.10.2021 and as per learned Additional Advocate General, Haryana the petitioner has already joined investigation. However, an objection has been raised by the learned counsel for the State that recovery of Rs 3,50,000/- is yet to be made from the petitioner. This Court is of the view that the mere fact that there are allegations against the petitioner where the police is wanting to have a recovery of Rs. 3,50,000/- from the petitioner cannot become a ground for denial of anticipatory bail to the petitioner.

In view of the aforesaid position whereby petitioner has already joined investigation, the present petition is allowed and the order dated 27.10.2021 is hereby made absolute.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

30.08.2022

rakesh

Whether speaking
Whether reportable

**(JASGURPREET SINGH PURI)
JUDGE**

: Yes/No
: Yes/No