

Sr. No.212+214

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

CRM-M-26859-2022(O&M)

Date of decision:10.08.2022

Rajender Pathak

... Petitioner

versus

State of Haryana

... Respondent

CRM-M-28186-2022(O&M)

Kanchan Arora

... Petitioner

versus

State of Haryana

... Respondent

CRM-M-28716-2022(O&M)

Saroj Arora

... Petitioner

versus

State of Haryana

... Respondent

CRM-M-27357-2022(O&M)

Jitender Munjal

... Petitioner

versus

State of Haryana

... Respondent

Coram: Hon'ble Mr. Justice Vinod S.Bhardwaj

Present: Ms. Promila Nain, Advocate CRM-M-28186&28716/2022
Mr. Gaurav Tyagi, Advocate CRM-M-26859-2022
Mr. Himanshu Raj, Advocate CRM-M27357-2022
for the petitioners.

Mr. Deepak Sabharwal, Addl.AG, Haryana.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Satya Pal Jain, Additional Solicitor General of India
with Mr. Shobit Phutela, Advocate for UOI.

Complainant-Yashpal Batra- in person with
Mr. Akshay Jindal, Advocate with
Mr. Gautam Dutt, Advocate
for the complainant.

Vinod S.Bhardwaj, J.(Oral)

Present four criminal miscellaneous petitions bearing
CRM-M-26859-2022 CRM-M-28186-2022, CRM-M-28716-2022
and CRM-27357-2022 shall be disposed of by a common order
as the same have been filed under Section 438 Cr.P.C for
grant of anticipatory bail in the same FIR.

Learned counsel appearing on behalf of the
respective petitioners contend that the petitioners have already
joined investigation and have extended all co-operation to the
Investigating agency. It is further submitted that the principal
accused to whom the payment had purportedly been made is
already in custody and that no recovery is to be effected from
the petitioners.

This Court had also sought for response from the Directorate of Enforcement as well as from the Commissioner of Police with respect to the action to be taken on the complaints that have been furnished by the petitioners against the complainant himself. Learned counsel representing the respective respondent departments contend that even the said allegations would be duly looked into and a final conclusion shall be drawn thereupon.

The object of seeking response from the said respective respondent departments was to sensitize them about the allegations levelled in the complaints so that further action in accordance with law could be taken. Once the authorities are seized of the same, no further directions need to be given at this stage.

Learned counsel appearing for the complainant Mr. Akshay Jindal, on instructions from the complainant Yashpal Batra, who is present in Court has been gracious to contend that he does not oppose the bail petition being confirmed in

favour of the petitioners at this stage.

In view of the stand adopted by the respective parties, the interim order dated 20.06.2022 of CRM-M-26859-2022, order dated 06.07.2022 of CRM-M-28186 of 2022, order dated 08.07.2022 of CRM-M-28716-2022 and the order dated 23.06.2022 of CRM-M-27357-2022 are made absolute.

Disposal of the present petitions shall not however, debar the investigating agency from proceeding in the matter in accordance with law.

However, the petitioners shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438 (2) Cr.P.C

Photocopy of this order be placed on the files of other connected cases.

10th August, 2022

Shivani Kaushik

**[VINOD S.BHARDWAJ]
JUDGE**

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No