

CRM-M-29006-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29006-2022
Reserved on: 22.08.2022
Pronounced on: 29.08.2022

Shiv Raj ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vivek Singla, Advocate for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Pawan Kumar, Sr. Advocate with
Ms. Vidushi Kumar, Advocate
Mr. Surya Kumar, Advocate and
Mr. Ravinder Chaudhary, Advocate
For the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
204	02.06.2022	Old Faridabad	406, 420 & 120-B IPC

1. The petitioner apprehending arrest in the FIR captioned above, had come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. Vide order dated 18-07-2022, the petitioner was granted interim protection, which is continuing till date.
3. Ld. Counsel for the petitioner contends that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
5. Ld. counsel representing the State opposes bail. Ld. counsel for the complainant argued that the petitioner had sold the cars which could not have been registered without disclosing such facts.

REASONING:

6. The allegations are that the complainant purchased various vehicles from the firm, of which the petitioner is the head of operations (Manager). The selling price of the vehicles is mentioned in the status report, and there is nothing to say that the sale

CRM-M-29006-2022

price was higher than the market value. The complainant's representatives appear to be ignorant, whereas the petitioner appears very shrewd, but this is no ground to send the accused to pre-trial incarceration. Some vehicles were delivered without registration documents, and some were not delivered despite the money. The possibility of a civil dispute and the criminal cannot be ruled out. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the complainant or the witnesses or that he had hampered the investigation, or despite being called to join the investigation, he did not appear before the investigator. Given the above, there would be no justification to discontinue the interim protection, and the same is made absolute subject to the petitioner complying with the terms of the bail order.

Petition allowed in aforesaid terms. Interim order dated 18.07.2022 is made absolute subject to strict compliance of all terms and conditions. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

29.08.2022
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.