

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36651-2020 (O&M)
Date of decision: 22.04.2022

Ashok and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vivek Sheoran, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.0211 dated 05.10.2020 under Sections 406 & 506 IPC, registered at Police Station Hassanpur, District Palwal.

While granting interim bail to the petitioners, following order was passed by this Court on 09.11.2020: -

“Learned counsel for the petitioners has submitted that even as per the contents of the FIR the allegations are that both the petitioners took Rs.4 lakhs from the complainant and thereafter, they have not paid back to him and again they have taken Rs.3 lakhs for the purchase of harvester combine. Therefore, he has

prayed for grant of anticipatory bail to the petitioner.

At this stage, Mr. Ravi Kant Sharma, Advocate has caused appearance on behalf of the complainant and has submitted that petitioners have taken Rs.7 lakhs and have not returned the same, therefore, he has opposed the grant of anticipatory bail to the petitioner...”

Learned counsel for the petitioners submits that in pursuance of the aforesaid order, the petitioners have joined the investigation and are not required for any further investigation. It is further submitted that a period of about 01 year and 05 months has lapsed and in the intervening period, there is no allegation against the petitioners that they have misused the concession of interim anticipatory bail. It is also submitted that challan has already been presented and offences are triable by the Court of Magistrate.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position and states that the petitioners are no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 09.11.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

22.04.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No