

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

207

CRM-M-33463-2019(O&M)

Date of decision: 29.11.2022

Anil Kumar Gupta and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. R.S.Cheema, Senior Advocate with
Mr. Rajiv Kumar Trikha, Advocate for the petitioners.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Jasraj Singh, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioners seek anticipatory bail in case FIR No. 191 dated 03.07.2019 registered under Section 420 IPC, at Police Station Model Town, District Hoshiarpur.

Vide order dated 20.08.2019, *ad interim* anticipatory bail was granted to the petitioners.

Learned State counsel, on instructions from ASI Hansraj, submits that though the petitioners have joined the investigation, yet the recovery of money is to be effected from them.

I have heard the learned counsel for the parties.

Since the Investigating Agency is not a recovery agent, without commenting on the merits of the case, the present petition is allowed and the order dated 20.08.2019 granting *ad interim* anticipatory bail to the petitioners by a Coordinate Bench is made absolute, subject to the conditions envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

29.11.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No