

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44334-2020 (O&M)
Date of decision: 28.04.2022

Jiya Lal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Ms. Manpreet Kaur, Advocate for
Mr. Sanjiv Gupta, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR
No.237 dated 03.07.2020 under Sections 120-B, 406, 420 IPC, registered at
Police Station Dabua, District Faridabad.

While granting interim bail to the petitioner, following order was
passed by this Court on 06.01.2021: -

*“...Learned counsel for the petitioner inter alia contends that the
business transactions in which the fraud is alleged by the
complainant were between the complainant and the petitioner's*

brother Rajinder in which the petitioner had informally or formally no role to play; the petitioner is not involved in any other criminal case; even if the contents of the FIR are taken as the gospel truth, though vehemently denied, the dispute raised therein is primarily civil in nature; co-accused Jasvinder Singh has been granted ad interim anticipatory bail by this Court through order passed on 16.12.2020 in CRM-M-40619-2020 and that the petitioner is ready and willing to join the investigation as and when called for by the investigating agency...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation. It is further submitted that a period of more than 02 years has passed and there is no allegation against the petitioner that either he has misused the concession of interim anticipatory bail or has tried to influence the witnesses and the interim bail is continuing, as in the intervening period, the case was referred to the Mediation and Conciliation Centre of this Court, however, the proceedings could not be concluded, as one of the accused Rajinder is settled abroad.

Learned State counsel, on instructions from SI Jagmohan Singh and on the basis of status report by way of affidavit of Assistant Commissioner of Police, Badkhal, Faridabad, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

Learned counsel for the complainant has, however, submitted that the petitioner is real brother of co-accused Rajinder and on his inducement,

certain amounts were transferred.

Be whatsoever, considering the aforesaid facts and circumstances of the case, this petition is allowed and the interim bail granted to the petitioner vide order dated 06.01.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

28.04.2022

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**[ARVIND SINGH SANGWAN]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No