

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

CRM-M-49551-2021 (O&M)

Date of decision: 19.05.2022

Anurag Maheshwari

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manu Aggarwal, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Ms. Pooja Chopra, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 0298 dated 27.10.2021, registered under Sections 406, 467, 468, 471 of the IPC at Police Station Kasola, District Rewari.

On 02.12.2021, while staying the arrest of the petitioner, the following order was passed:

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case for the reason that the petitioner, as an employee of the complainant company, had disputes with the company as a result whereof he resigned from it; the petitioner has no other criminal case pending against him; the complainant had earlier filed a complaint with the police after investigation of which it was found that the disputes between the parties were civil in nature; the complainant got the FIR in question lodged after its first complaint had been filed by the police; the alleged period

of embezzlement is between the years 2016 and 2020 and during this period the accounts of the company were duly audited wherein no embezzlement was detected; all the transactions between the parties are bank transactions for which no custodial interrogation of the petitioner is required and that the petitioner is also ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.”

Learned counsel for the petitioner submits that though the arrest of the petitioner was stayed, however, in pursuance to the order dated 02.12.2021, he has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, assisted by learned counsel for the complainant, has not disputed the factual position and submits that the petitioner has joined the investigation.

In view of the above, the petition is allowed and the order dated 02.12.2021 is made absolute. The petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

19.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No