

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-50571-2021 (O&M)
Date of Decision:-7.4.2022

Ashok Kumar @ Dhuliya and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Govind Chauhan, Advocate for the petitioners.

Mr. Rahul Mohan, DAG, Haryana,
assisted by SI Vijay.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.252 dated 5.7.2021, Police Station City Ambala, District Ambala, under Sections 420, 406 and 120-B of Indian Penal Code.
2. At the time of issuance of notice of motion on 3.12.2021, the following order was passed:

“The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.252 dated 5.7.2021 at Police Station City Ambala, District Ambala under Sections 420, 406 and 120-B of Indian Penal Code.

Learned counsel for the petitioners submits that even if all the allegations as levelled in the FIR are taken to be correct, which are to the effect that the petitioner Ashok Kumar @ Dhuliya alongwith his sons Jitender Kumar and Inder Singh had taken land measuring 2 acres from the complainant on lease for an amount of ₹90,000/- but the said amount had not been paid, would constitute a civil liability only.

Notice of motion for **7.4.2022**.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioners submitted that in deference to order dated 3.12.2021, the petitioners have still joined investigation and that keeping in view the nature of allegations, they deserve the concession of anticipatory bail.
4. Learned State counsel, upon instructions from SI Vijay, has informed that pursuant to interim directions, the petitioners have since joined investigation and are not required for any custodial interrogation. It has also been informed that the petitioners are not involved in any other case.
5. Having regard to the aforestated position, wherein the petitioners are stated to have joined investigation and are not required for any custodial interrogation and are not even stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 3.12.2021 are hereby made absolute, subject to the condition that the

petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

7.4.2022
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No