

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-55803-2022
Date of decision: 21.12.2022

Dinesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Vijay Sangwan, Advocate for the petitioner.
Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Prayer in this petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case bearing FIR No.244 dated 31.07.2022 registered under Sections 420,467,468 and 471 IPC at PS City Mahendergarh, District Mahendergarh.

On 08.12.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the present petition is second petition and the earlier petition was dismissed as withdrawn on 23.11.2022 with liberty to file a fresh petition and thus, in effect, the present petition is the first petition for anticipatory bail. It is further submitted that as per allegations levelled in the FIR, the petitioner had defaulted in repaying the bank and the outstanding amount was Rs.4,24,378/- as on 31.03.2022. It is contended that the petitioner has deposited a sum of Rs.4,41,435/- after registration of the FIR.

Notice of motion.

On advance notice, Mr. Praveen Bhadu, AAG, Haryana has appeared and accepts notice on behalf of the State.

This Court, on 02.12.2022, had directed learned State Counsel to verify certain facts.

Learned State Counsel, on instructions from PSI Ravi, has submitted that in pursuance of the abovesaid order, he has verified the said facts and has found that the petitioner has

deposited the amount as stated by learned counsel for the petitioner.

Adjourned to 21.12.2022.

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

08.12.2022

(VIKAS BAHL)
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Ravi, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 08.12.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 08.12.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

21.12.2022

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(VIKAS BAHL)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No