

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-6928-2023

Date of Decision: 13.03.2023

Kewal Krishan and another

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Vikas Bali, Advocate for the petitioner.

Mr. Jaspal Singh Guru,
Assistant Advocate General, Punjab.

Mr. J.P. Jangu, Advocate for respondents No. 2 to 4.

ASHOK KUMAR VERMA, J. (ORAL)

Prayer in this second petition qua petitioner No. 1-Kewal Krishan and first petition qua petitioner No. 2-Neena Goyal, filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No. 189 dated 06.09.2022 registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station Sarabha Nagar, District Police Commissionerate, Ludhiana.

It is pertinent to mention here that the earlier petition bearing CRM-M-47253-2022, filed by petitioner No. 1-Kewal Krishan, for grant of anticipatory bail was dismissed by this Court vide order dated 17.10.2022 (Annexure P-3).

The case in hand is that complainant's grand father's name was Budh Ram Goyal and father's name is Darshan Kumar Goyal who

died on 10.5.1995. Petitioner No. 1-Kewal Krishan, is his father's brother and petitioner No. 2-Neena Goyal is his *chachi* and her husband's name was late Sushil Goyal and her father-in-law's name was late Budh Ram Goyal. Late Darshan Kumar Goyal, had a bank account bearing A/c No. 08240100008493 in UCO Bank which is joint account with petitioner No. 2-Neena Goyal wife of late Sushil Kumar Goyal. Similarly, there is a bank account in the name of Darshan Kumar Goyal i.e. 0042010021710 with Oriental Bank of Commerce which is now merged with Punjab National Bank. Whereas account no.50279859905 and 50279859895 of UTI Mutual Funds of shares of different companies. Similarly account nos.50279833805, 50279833762 and 50279833784 in the name of complainant's mother Madhu Goyal are shares of UTI Mutual Funds of various companies. Similarly, three more accounts were in the name of Madhu Bala i.e. 5027250714, 50244194135 and 5141730777 of UTI Mutual Funds of various companies shares and all the profits were deposited in the account no.00042010018230 of OBC which is now merged with Punjab National Bank. Lakhs of rupees have been withdrawn by the petitioners by forging fake signatures by keeping the cheque book with them and the profits of the account of Madhu Bala were also withdrawn by the petitioners in their account by forging fake signatures.

At the outset, learned counsel for the petitioners submits that the matter has now been compromised between the parties vide compromise deed dated 18.01.2023 (Annexure P-4). He further submits that the petitioners have also filed another petition bearing CRM-M-

6967-2023, for quashing of impugned FIR on the basis of compromise effected between the parties, which is pending adjudication before this Court for 01.05.2023. Learned counsel for the petitioners prayed that in view of changed circumstances, the instant petition may be allowed and the petitioners be granted the concession of anticipatory bail.

Learned counsel appearing for respondents No. 2 to 4 fairly conceded the factum of compromise between the parties and submits that he has no objection, in case, the present petition is allowed and the petitioners may be granted the concession of anticipatory bail.

I have heard learned counsel for the parties and gone through the record.

Considering overall facts and circumstances, present petition is disposed of with a direction to the petitioners to join the investigation and remain present as and when called for and in the event of arrest, they shall be admitted to bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

March 13, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**