

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8126-2023

Date of Decision: 11.05.2023

KAVISH SEHGAL

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Jigyasa Tanwar, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

1. On 16.02.2023, following order was passed:

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.29 dated 19.07.2019 registered under Sections 420/120-B IPC at Police Station NRI, SAS Nagara, Mohali.

Learned counsel for the petitioner contends that the petitioner was only an employee of Puma Realtors Pvt. Ltd. The complainant had allegedly booked an apartment with the aforesaid company on 30.06.2017 and a sum to the tune of about Rs.55,00,000/- was deposited by her. Subsequently, the company has gone into liquidation and has been taken over by another group of company, namely, One City Infrastructure Pvt. Ltd. and APM Infrastructure Pvt. Ltd. The principal amount has been repaid to the complainant and the interest @ 8% per annum has also been agreed to be paid to the complainant. The co-accused, namely, Madhukar Tulsi has been granted interim bail by this Court in terms of order dated 13.02.2023 passed in CRM-M-7473-2023.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 11.05.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-7473-2023.”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from SI Parminder Kaur, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.
4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 16.02.2023 is made absolute.

11.05.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No