

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:145830
CRM-M-10024-2023
Date of Decision: November 16, 2023

Ranjeet Kumar Jha ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Vaibhav Sehgal, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

Mr. Sanjiv Kumar Aggarwal, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

On 24.02.2023, following order was passed by this Court:-

“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.26, dated 04.02.2023, under Section 381 of IPC, registered at Police Station Rai, District Sonipat.

Learned counsel for the petitioner states that the petitioner was employed as Supply Chain Manager. A false case is registered against 07 accused persons and the other 06 have already been arrested. Punishment provided under Section 381 IPC is imprisonment, which may extend to seven years. No notice is given to the petitioner in violation of directions given in the judgment passed by Hon'ble the Supreme Court in “Armesh Kumar v. Bihar and another”, 2014 (3) SCC (Cri.) 449 and the police going to arrest the petitioner.

Notice of motion.

At the asking of the Court, Mr. Karan Sharma, DAG, Haryana, appears and accepts notice on behalf of the respondent-State. A copy of the paper book be supplied to him during the course of the day. He seek some time to file status report in the matter.

List on 17.05.2023.

Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his

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furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”

Although, learned State counsel concedes that petitioner has since joined the investigation, but it is submitted that as per the status report, the amount of ₹30,000/- was transferred in the account of wife of the petitioner, but the same has not been got recovered.

Learned counsel for the petitioner has rightly pointed out that as per status report filed by the State itself, the amount of ₹30,000/- was deposited in the account of wife of the petitioner by one Suresh and not by the co-accused. It will be the matter of the trial as to whether amount so deposited in the account of the petitioner’s wife was by the co-accused or by Suresh and whether it was case property or not.

Having noticed aforesaid facts and circumstances, the order dated 24.02.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

November 16, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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