

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

211

CRM-M-16252-2023**Date of decision: 12.07.2023**

Sangeeta Mittal and another

....Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY*********

Present : Mr. Himanshu Gupta, Advocate
for the petitioners

Mr. Jagdish Manchanda, Addl. AG, Haryana

***********AMAN CHAUDHARY. J.**

1. On 17.05.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioners in case FIR No.242 dated 09.02.2023, Annexure P-1 registered under Sections 409, 380, 34 and 120-B IPC at Police Station Karnal Civil Lines, Karnal, Haryana.

Learned Senior counsel contends that it is a case of family feud and the complainant is brother-in-law of the respective husband of the petitioners. The allegations are against Jatinder Kumar Mittal i.e. husband of petitioner No.2, who was a Director, regarding entrustment of wheat by him in his capacity as a Director of M/s Pelican Grand Motels Private Limited along with the complainant which has been allegedly misappropriated. There is no agreement that has been entered into between the co-accused Jatinder Kumar Mittal with other persons, the allegations of which are against co-accused Naveen Kumar. The petitioners have been falsely implicated only on account of their marital relationship otherwise they have no concern with the Company or the dispute. They are not involved in any other case and are ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Jagdish Manchanda, Additional AG Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioners are directed to join the investigation on or before 22.05.2023. In the event of their

arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of the conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 12.07.2023. ”

2. Learned counsel submits that in pursuance of the above order, the petitioners have not only joined investigation, but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.
3. Learned State counsel on instructions affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners is allowed and the order dated 17.05.2023 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.
5. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

(AMAN CHAUDHARY)
JUDGE

12.07.2023
Mehak

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