

CRM-M-27019-2022

Date of Decision: 03.02.2023

Jatinder Kumar Agarwal

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Shobit Phutela, Advocate, for the petitioner.

Mr. B.S. Virk, Deputy Advocate General, Haryana.

Ms. Sarika Gupta, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.364 dated 17.08.2021 registered under Sections 506, 406, 420 IPC (Sections 406 and 420 IPC added lateron), at Police Station Sector-5, Panchkula.

By virtue of the order dated 11.07.2022, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and fully cooperated and thus, the interim order may kindly be made absolute.

However, learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner and has submitted that an amount of about Rs.2 crores is involved in this case and the complicity of the petitioner is writ large.

Learned State counsel, on instructions from ASI Narinder, has affirmed the fact that the petitioner has joined the investigation and submitted that he is no more required for further investigation.

After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner has joined the investigation. However, the argument advanced by learned counsel for the complainant regarding recovery of money involved, is subject matter of trial to be conducted by the learned trial Court on presentation of the challan. The case need to be thoroughly investigated and tried by the trial Court.

In the attending facts and circumstances, the order dated 11.07.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

03.02.2023
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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:Yes/No
Whether Reportable	:Yes/No