

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31702-2021

Date of Decision: 03.02.2023

Sahil GoyalPetitioner

Versus

State of HaryanaRespondent

CRM-M-43492-2021

Ankur GoyalPetitioner

Versus

State of HaryanaRespondent

CRM-M-3079-2022

Ashok KumarPetitioner

Versus

State of HaryanaRespondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Suvir Sidhu, Advocate
for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

Mr. Mohit Bishnoi, Advocate
for the complainant.

ANOOP CHITKARA, J.

This order shall dispose off all the three petitions together as
they are arising out of the same FIR seeking anticipatory bail in FIR

No.89 dated 14.04.2021 under Sections 406 & 420 IPC, registered at Police Station City Ratia, District Fatehabad.

Vide order dated 07.01.2022, a Coordinate Bench of this Court had granted interim bail to the petitioners subject to compliance of the conditions i.e. handing over the '*Bahi Khatas*' (Ledgers).

The complainant's counsel as well as the State submit that only the last portion of the '*Bahi Khata*' was produced whereas the crucial '*Bahi kahats*' i.e. of Financial Year 2015 to 2019 starting from 01.04.2015 upto 31.03.2019, were never handed over.

The state counsel and the complainant's counsel seek cancellation/withdrawal of the interim protection on this ground alone because the petitioners did not comply with the said order.

At this Stage, Dr. Anmol Rattan Sidhu, Sr. Advocate submits that the interim bail should not be cancelled and one more opportunity be given to the petitioners to comply with the remaining part of the directions. He further submits that he would have no objection in case this Court imposes any other stringent conditions upon the petitioner-Ankur Goyal as the other persons are not proprietors and have no control over the registered firm and other assets.

Given the categorical statement of the accused through their counsel that the interim bail order is made absolute. Petitions are allowed subject to the conditions as follows:

1. **Petitioner-Ankur Goyal**, shall hand over all the '*Bahi khatas*' without any tampering, of the proprietorship firm, namely, M/s Ashoka Agriculture Store, w.e.f. 01.04.2015 till 31.03.2019 to the investigator as

well as to the complainant within 10 days. It is clarified that in case the petitioner tries to tamper with the 'Bahi Khata' or conceal any information, it shall be taken seriously and investigator will add further provisions of destruction of evidence.

2. **Petitioners- Ashok and Sahil,** shall declare all their assets, movable and immovable properties in two notarize affidavits and give one original to the complainant and one original to the Investigator within 15 days from today and make sure that this condition has been imposed to enable the complainant to take appropriate legal measures of recovery of his dues.

It is further clarified that in case of default of any of these conditions, it shall be permissible for the complainant or the State to file an application for cancellation of this bail and on that ground alone this Court shall consider the cancellation of bail.

Photocopy of this order be placed on the file of other connected cases.

03.02.2023

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**(ANOOP CHITKARA)
JUDGE**

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