

CRM-M-33661-2023 and
CRM-M-38460-2023

2023:PHHC:111314

212 (2 cases)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

1.

CRM-M-33661-2023

Jai Kishan

... Petitioner

Versus

State of Haryana

.. Respondent

2.

CRM-M-38460-2023

Vikram @ Vikram Singh

... Petitioner

Versus

State of Haryana

.. Respondent

Date of Decision:-24.08.2023

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.Sudhir Rana, Advocate
for the petitioner(s) in both petitions.

Mr.Munish Sharma, DAG, Haryana.

SUVIR SEHGAL, J. (ORAL)

1. Both the petitions have been filed by separate petitioners under
Section 438 Cr.P.C. seeking grant of anticipatory bail in:-

FIR No.	Dated	Police Station	Sections
191	16.05.2023	Taraori, District Karnal	406, 420, 506, 120-B IPC and Section 24 of Immigration Act, 1983

2. Upon instructions received from SI Sultan Singh, State counsel submits that petitioners have joined and cooperated with the investigation process. However, recovery of the money allegedly swindled by the petitioners is to be effected from them.
3. Heard counsel for the parties.
4. Hon’ble Supreme Court in *Dilip Singh Versus State of Madhya Pradesh and another (2021) 2 SCC 779* has held that petition seeking bail cannot be converted into a suit for recovery of money nor can any condition be imposed for deposit of the disputed amount as a condition for grant of bail.
5. In view of the above, but without commenting upon the merits of the allegations, petitions are allowed. Order dated 17.07.2023 passed in **CRM-M-33661-2023** and order dated 07.08.2023 passed in **CRM-M-38460-2023** are made absolute, subject to satisfaction of conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)

JUDGE

24.08.2023

Brij

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