

Date of decision: 05.12.2023

...PETITIONER

STATE OF HARYANA

...RESPONDENT

Present: Mr. Sarfaraj Anjum Mor, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG, Haryana.

VIVEK PURI,J. (ORAL)

1. On 11.09.2023, the following order was passed:-

“1. The petitioner is seeking anticipatory bail in case bearing FIR No. 225 dated 02.08.2022 under Sections 379/420 IPC registered at Police Station Munak, District Karnal.

2. Learned counsel for the petitioner contends that though this is 4th petition for anticipatory bail but the earlier three petitions were dismissed as withdrawn and none of the applications has been disposed of on merits. It has been submitted that the allegations against the petitioner and the coaccused are to the effect that the son of the complainant was simpleton. A sum of Rs.30 lac was extracted in a deceitful manner from the complainant on the pretext of providing medical treatment and making arrangement for solemnizing the marriage of son of the complainant. The dispute has been settled between the parties. The petitioner has returned the amount of Rs.6 lac alleged to have been received from the complainant to her which is evident from the affidavit, Annexure P-3 of the complainant.

3. Learned State counsel submits that as per the allegations, a sum of Rs.30 lac was deceitfully received by the petitioner and the co-accused. A sum of Rs.14,94,000/- has been transferred in the account of the petitioner and the co-accused by the complainant through Google app/RTGS and the balance amount of Rs.15,06,000/- has been paid in cash.

4. Adjourned to 05.12.2023.

5. In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

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2. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions. As per the contents of the affidavit dated 19.07.2023 (Annexure P-3) of the complainant, a sum of Rs.6,00,000/- was transferred in the account of the petitioner and the same has been returned.
3. On instructions from ASI Satish Kumar, learned State counsel submits that the petitioner has joined the investigation, his custodial interrogation is not required but the balance amount is to be recovered from the co-accused.
4. In view of the aforesaid submissions, the order dated 11.09.2023, granting interim bail to the petitioner is made absolute.
5. The petition is allowed.

05.12.2023
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(VIVEK PURI)
JUDGE

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