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

CRM-M-40938-2022

Date of Decision: 27.02.2023

Parveen and another

....Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Vishavjeet, Advocate
for the petitioners.

Mr. Amrik Narwal, DAG, Haryana.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Section 438 is for grant of anticipatory bail to the petitioners in case FIR No.161 dated 19.09.2021, registered under Sections 407, 506 and 120-B of Indian Penal Code, registered at Police Station Loharu, District Bhiwani (Annexure P-1).

On 08.09.2022, the following order was passed by a co-ordinate Bench of this Court :-

“The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.161, dated 19.9.2021, Police Station Loharu, District Bhiwani, under Sections 120-B, 407 and 506 of Indian Penal Code.

The allegations levelled in the FIR lodged at the instance of Sharveen Singh, Senior Manager, M/s Delivery Private Limited, are to the effect that the accused had defrauded the company of an amount of Rs.5 lakhs by replacing original goods with duplicate goods in the parcels and had also not delivered 847 parcels worth Rs.42,58,863/-. It has also been submitted that when the accused were confronted for the same, they threatened the Station Manager, Ashish Satija to inflict injuries to him with some sharp edged weapon on 14.11.2020.

Learned counsel for the petitioners submits that the

matter has been amicably compromised amongst the parties as per compromise deed dated 26.4.2022 (Annexure P-2). It has also been submitted that another coaccused Ankit Kumar has already been granted anticipatory bail by this Court vide order dated 2.8.2022 passed in CRM-M-13986 of 2022.

Notice of motion for 27.2.2023.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners submits that pursuant to the aforesaid order, the petitioners have joined the investigation.

Learned State counsel on instructions from ASI Vijender has not disputed the aforesaid fact of joining of investigation by the petitioners and submits that their custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioners have joined the investigation and their custodial interrogation is not required at this stage, the present petition is allowed and the ad-interim order dated 08.09.2022 passed by the Co-ordinate Bench of this Court is made absolute.

However, the petitioners shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioners fail to comply with any of the bail conditions laid down under Section 438(2) Cr.P.C, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioners.

Nothing expressed here-in-above shall be construed to be an

observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for anticipatory bail at this stage.

The petition is accordingly disposed of.

27.02.2023

Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No