

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 257

CRM-M-45465-2022

Date of decision : 17.01.2023

Ravi Kumar Jain

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.H.S.Randhawa, Advocate, for
 Mr.P.S.Ahluwalia, Advocate, for the petitioner.

Mr.Rajiv Sidhu, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.454 dated 24.07.2022 registered under Sections 406 and 420 IPC at Police Station Ambala Cantt. District Ambala.

On 29.09.2022 this Court had passed the following order: -

“The petitioner herein seeks the relief of pre-arrest bail in the criminal case arisen out of the FIR bearing No.454 dated 24.07.2022 registered at Police Station Ambala Cantt., District Ambala, under Sections 406 and 420 IPC.

Learned counsel for the petitioner, inter-alia, contends that there has been a series of commercial transactions between the petitioner and the informant since the year 2016 and the petitioner has been making the payment of the amounts due from him to the informant, from time to time but due to some unavoidable circumstances, the petitioner could not pay the outstanding amount to the informant and he (petitioner) did not ever have any intention to defraud or to commit criminal breach of trust in respect of the goods supplied to him by the informant and the petitioner is also ready to join in the investigation as and when so required.

Notice of motion.

Ms. Ambika Sood, learned Additional Advocate General, Haryana, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice. She seeks some time to get proper and complete instructions in the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 17.01.2023.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, the order of this Court dated 29.09.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

17.01.2023
shamsher

Whether speaking/reasoned
Whether reportable

:

Yes / No
Yes / No

[DEEPAK SIBAL]
JUDGE