

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

Sr. 207

CRM-M-52248-2021

Date of decision: 18.01.2023

Vinod Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Parveen Sharma, Advocate for
Mr. R.K. Singla, Advocate, for the complainant.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C.
for the grant of anticipatory bail in FIR No.375 dated 11.11.2021 registered
under Sections 420, 406, 506 and 120-B IPC at Police Station Mahesh
Nagar, District Ambala.

On 15.12.2021, this Court had passed the following order:-

“Prayer in this petition is for grant of
anticipatory bail to the petitioner in FIR No. 375
dated 11.11.2021, registered under Sections 420,
406, 506 and 120-B of the IPC at Police Station
Mahesh Nagar, District Ambala.

Learned counsel for the petitioner submits
that in fact the petitioner was an employee of co-
accused, who has entered into an agreement with
the complainant for supplying a mask making
machine.

Learned counsel further submits that the said
machine was in fact supplied and the dispute arose
between the firm and the complainant regarding
the production capability of the said machine as
the complainant has stated that an assurance was
given that the machine will make 50,000 masks
daily, however, it could not produce required
number of masks when brought to operation.

It is further submitted that in fact even on a subsequent stage, a settlement was arrived at between the owner and Vaibhav Mittal and it was agreed that the amount will be returned in installments by the owner and the petitioner, being an employee, has no role in the same.

Notice of motion for 21.03.2022.

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

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 15.12.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

January 18, 2023

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No