



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-892-2024(O&M)
Date of Decision: 23.08.2024

MAHARAJ SINGH SIDHU ALIAS MAHARAJ SINGH SINDHU
....Petitioner
VERSUS
STATE OF HARYANA
....Respond-
ent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Rajeev Sharma, Advocate for the petitioner.
Mr. Neeraj Poswal, AAG, Haryana.
Mr. Rakesh Sobti, Advocate for the complainant.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C.
seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
325	24.06.2023	P.S. Adarsh Nagar, Faridabad	420, 406 and 120-B of IPC and Section 4 of Prize Chits and Money Circulation Scheme (Banning) Act

2. Vide order dated 23.01.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 23.01.2024 is reproduced as under:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.325 dated 24.06.2023 registered under Sections 420, 406 and 120-B IPC and Section 4 of Prize



Chits and Money Circulation Scheme (Banning) Act at Police Station Adarsh Nagar, District Faridabad.

Learned counsel for the petitioner submits that both the parties are closely related to each other and the petitioner has been falsely implicated in the present case at the instance of the complainant and there is no document available on the record to prima facie establish that any amount was ever handed over by the complainant to the petitioner with regard to the alleged committee. Counsel for the petitioner further submits that amount of Rs.1,15,000/- which is mentioned in the FIR was given by the petitioner to the complainant as a financial help which was sought by the complainant.

The present petition is resisted by the State counsel and counsel for the complainant who submits that the petitioner was running various committees and an amount of Rs.10,90,000/- was deposited with the petitioner by the complainant and that the complainant asked the petitioner to return the said amount, on which payment of Rs.1,15,000/- was made by the petitioner by way of cheque to the complainant but he refused to return the balance amount which is standing due against the petitioner till date.

At this stage, the counsel for the petitioner submits that in order to show his bona fide petitioner is ready to deposit an amount of Rs.3 lacs with the Court of Illaqa Magistrate but the same is not to be disbursed to the other party and will be subject to the final decision of the case.

In light of the above, the petitioner is hereby directed to join investigation with the Police and is to be released on interim bail by the Investigating Officer/Arresting Officer to his own satisfaction till the next date of hearing subject to deposit of Rs.3 lacs by the petitioner with the Illaqa Magistrate concerned within next three weeks which will be subject to final decision of the case and is not to be disbursed to the



*complainant till further orders. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C.
Now, be listed for 24.04.2024.”*

3. Learned State counsel filed status report dated 22.08.2024. The same is taken on record. He further, on instructions from the investigating officer states that the petitioner has joined the investigation on 19.06.2024 and his custodial interrogation is not required. However, learned counsel for the complainant submits that recovery of some amount is still to be effected from the petitioner.
4. In view of the fact that the petitioner has joined investigation and is is not required for custodial interrogation and also in view of the fact that non recovery of certain articles or amount of money cannot be made ground to deny concession of bail to the petitioner, the present petition is allowed and the order dated 23.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

23.08.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |