



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-4512-2024

Date of decision: 16.05.2024

Tilak Raj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mohit Jasuja, Advocate and
Mr. Vipin Kumar, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.389 dated 21.09.2023 under Sections 406 and 420 of the IPC registered at Police Station Central, District Faridabad.

2. On 30.01.2024, learned counsel for the petitioner had made the following submissions:-

“Learned counsel inter alia contends that no doubt an amount of ₹ 5.00 lacs was indeed deposited in his bank account by the complainant, however, it was not on account of a false assurance given to the complainant that he would be helped in getting a Govt. job. Learned counsel submits that in fact the said amount had been deposited by the complainant on account of some mercantile transaction, which had been entered into between the parties in the year 2018. He further submits that an amount of ₹ 1.50 lacs out of the total amount of ₹ 5.00 lacs had already been returned to the complainant and he was willing to sit across the table with the complainant to clear the remaining dues as well.”



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3. Thereafter, on 14.03.2024, while noticing the following submissions made by the learned counsel for the petitioner and learned counsel for the complainant, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner submits that the entire amount of Rs.5 lakhs as per undertaking given before this Court stands deposited in the account of the complainant.

Learned counsel appearing for the complainant has not disputed the submissions made by learned counsel for the petitioner qua the deposit of Rs.5 lakhs in his bank account.”

4. Learned counsel for the petitioner submits that in compliance of order dated 14.03.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. Learned counsel for the complainant submits that the petitioner has only repaid the amount which was paid by the complainant through RTGS; amount paid in cash has still not been paid.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. Once the petitioner has joined investigation and cooperated with the investigating agency and as stated by the learned State counsel

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on instructions that his custodial interrogation is not required, this Court is not inclined to deny the extraordinary concession of anticipatory bail to the petitioner.

9. In view of the above, the petition is allowed and interim order dated 14.03.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

16.05.2024

(MANJARI NEHRU KAUL)

JUDGE

Vinay

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No