

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13139-2024

Decided On: 16.04.2024

ROHIT GROVER

.....PETITIONER(s)

Versus

UNION TERRITORY OF CHANDIGARH

.....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Aalok Jagga, Advocate
for the petitioner.

Mr. Manish Bansal, P.P, U.T., Chandigarh.

DEEPAK GUPTA, J.(Oral)

On 14.03.2024 the following order was passed by this Court:-

“The instant petition has been filed under Section 438 of the Code of Criminal Procedure (hereinafter referred to as Cr.P.C) for grant of anticipatory bail to the petitioner in FIR No.0177 dated 24.12.2022 registered under Sections 420 and 406 IPC at Police Station South Sector 34, Chandigarh.

Learned counsel appearing for the petitioner inter alia contends that there is nothing on record to prove necessary ingredients for attracting the offence under Section 420 IPC i.e. culpable intention to cheat from the inception. The dispute is purely of civil nature and the proceedings are already pending before Debt Recovery Tribunal, Chandigarh.

Notice of motion.

On the asking of the Court, Mr. Manish Bansal, P.P., U.T., Chandigarh, who is present in Court, accepts notice on behalf

of the respondent-state and opposes the prayer for grant of anticipatory bail to the petitioner.

At this stage, Ms. Mamta Malik, Advocate has put in appearance on behalf of the complainant and undertakes to file his vakalatnama in the registry during the course of the day. She opposes grant of anticipatory bail to the petitioner on the ground that the allegations leveled against the petitioner are serious in nature.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Mohd. Muslim alias Hussain Vs. State (NCT of Delhi) 2023 SCC OnLine SC 352**, at the first instance, petitioner is directed to appear before the Investigating Officer on or before 20.03.2024 and on his doing so or in the event of arrest, petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating Officer and abide by the conditions as provided under Section 438 (2) Cr.P.C.*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 16.04.2024.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

Today, on instructions from ASI Amarjit Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 14.03.2024 and is no longer required for further investigation.

In view of the aforesaid, the order dated 14.03.2024, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

16.04.2024

Priyanka-II

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No