2024:PHHC:016263

In The High Court for the States of Punjab and Haryana
At Chandigarh

(I) **CRM-M-11320-2021 (O&M)**
Date of Decision:- 06.02.2024

Kajal … Petitioner

Versus

State of Haryana ... Respondent

(II) **CRM-M-11733-2021 (O&M)**

Saurabh Malhotra … Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.K.Rana, Advocate and
Mr. Ashish Rana, Advocate, for the petitioner
in CRM-M-11320-2021.

Mr. Gagain Oberoi, Advocate, for the petitioner
in CRM-M-11733-2021.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Kamal Chaudhary, Advocate, for the complainant.

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FIR NO.	DATE	POLICE STATION	OFFENCES
49	19.2.2021	Sector 14 Panchkula	408, 420 IPC

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Kajal and Saurabh Malhotra, seek grant of anticipatory bail in respect of aforementioned FIR.

2. The FIR was lodged at the instance of Ujwal Goyal wherein it is alleged that he is running an Electrical and Hardware shop wherein Shreya was working as his Manager. It is alleged that said Shreya by forging complainant's signatures on cheques had transferred an amount of Rs.45 lakhs approximately in his own bank account. It is further alleged that the aforesaid Shreya out of the said transferred amount further transmitted an amount of Rs.2,28,200/- in the account of one Kajal who is another employee of the complainant and another amount of Rs.98,500/- into the account of another employee namely Saurabh Malhotra.

2. Learned counsel for the petitioners submitted that they have falsely been implicated in the present case and that even if all the allegations are taken to be correct, it is Shreya who is the main accused and that since Shreya had deposited some amount into the account of petitioners, it cannot be said that they were conniving with Shreya and that the said amount apparently could have been for some other purposes.

3. Opposing the petition, learned State counsel has submitted that since the transfer of amount in the account of petitioners is duly established from the Bank account statements, it goes without saying that they were hand in gloves with main accused Shreya and as such their

complicity is clearly evident. Learned State counsel has however, informed that both the petitioners have joined investigation.

4. This Court has considered the rival submissions.

5. Having regard to the fact that the petitioners have joined investigation and the main allegations are against the co-accused Shreya who is alleged to have transferred huge amount of Rs.45 lakhs and the fact that only a minuscule portion of the said amount had been transferred to the account of the petitioners and that the petitioners otherwise have a clean record, the petitions, as such are accepted and the interim directions issued by this Court vide order dated 18.3.2021 in CRM-M-11320-2021 and 15.3.2021 in CRM-M-11733-2021 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. A photocopy of this order be placed on the file of each connected case.

06.02.2024 **(GURVINDER SINGH GILL)**
mohan **JUDGE**

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No