

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

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**CRM-M No.17242 of 2024  
Date of decision: 10.09.2024**

**KAMAL****.... Petitioner****Versus****STATE OF HARYANA****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Himanshu Setia, Advocate for  
Mr. Kushager Goyal, Advocate for the petitioner.  
Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

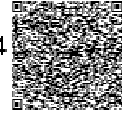
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**MANISHA BATRA, J. (oral)**

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 876, dated 27.11.2023, under Sections 406, 420 and 120-B of IPC at Police Station Azad Nagar, District Hisar.

2. Vide order dated 15.07.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 15.07.2024, passed by this Court, reads as under:

*“The instant petition has been filed by the petitioner seeking pre-arrest bail in case arising out of FIR No.876 dated 27.11.2023 registered under Sections 406, 420 and 120-B of IPC Azad Nagar, District Hisar on the basis of complaint lodged by the complainant-Sandeep alleging therein that the present petitioner along with his wife had induced him to pay a sum of ₹10 lacs by making representation to get him appointed in Delhi Police as they were having relations with some Minister. He also got filled form from the petitioner and they took the aforementioned amount. However,*



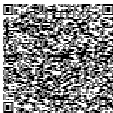
*neither he was appointed to said post nor his money was returned. Subsequently, two cheques amounting to ₹5 lac each had been given by the petitioner and co-accused but the same were also dishonoured. While alleging that the petitioner and co-accused had cheated him and criminally misappropriated an amount of ₹10 lac from him, he prayed for taking action against the culprits. After registration of the FIR, investigation proceedings were initiated and the investigation is under way. Apprehending his arrest, the petitioner had moved an application for grant of pre arrest bail before the Additional Sessions Judge, Hisar which had been dismissed vide order dated 12.03.2024.*

*It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, he had obtained a loan of ₹10 lacs from the complainant and had given two cheques amounting to ₹5 lacs each by way of security. The dispute between the parties is of civil nature and custodial interrogation of the petitioner is not required. The petitioner is ready to join the investigation. It is submitted that a compromise had been arrived at between the parties and the petitioner had returned a sum of ₹2 lacs to the complainant and will return the remaining amount shortly.*

*Notice of motion.*

*Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.*

*Mr. Robin Lohan, Advocate has filed his Power of Attorney on behalf of the complainant and has also affirmed the factum of*



*compromise and that an amount of ₹2 lacs has been returned by the petitioner and talks of compromise are going on.*

*Adjourned to 10.09.2024.*

*In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”*

3. Learned State counsel has filed the status report. The same is taken on record. He, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 14.08.2024 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 15.07.2024, 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.

10.09.2024  
Jyoti-IV

(MANISHA BATRA)  
JUDGE

Whether speaking/reasoned: Yes/No.  
Whether reportable : Yes/No