



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-27703-2022

T.L. RadhapathyPetitioner

versus

State of HaryanaRespondent

2. CRM-M-27644-2022

M. Divya PrasadPetitioner

versus

State of HaryanaRespondent

3. CRM-M-27692-2022

T.R. SindhujaPetitioner

versus

State of HaryanaRespondent

Date of decision : 05.09.2024

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sajal Bansal, Advocate and
Mr. Saransh Sabharwal, Advocate
for the petitioner(s).

Mr. Sumit Jain, Addl. A.G., Haryana

Mr. Arvind Seth, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petitions is for grant of anticipatory bail
to the petitioner(s) in case FIR No.116 dated 17.03.2022 , under Sections



120-B, 406, 420, 467, 468 and 471 IPC registered at Police Station, Sector-14, Panchkula.

2. Vide order dated 25.07.2022 passed in CRM-M-27703-2022, while granting interim protection, petitioners were directed to join investigation.

3. Learned counsel for the complainant has produced a calculation chart and has submitted that the fund released to ISEE, was Rs.2,08,74,950/- on 03.11.2021 and this amount was to be returned by December, 2021, however, the complainant was returned only an amount of Rs.50,80,356/- as on 30.12.2021. It is submitted that as per the calculation Rs.1,57,94,594/- is due towards the petitioner(s). It is submitted that Rs.50 lacs, in pursuance to the order dated 12.07.2022, passed by this Court, has been deposited with the trial Court. However, the complainant has not received this amount. He submits that the money involved is public money and the same should be returned to the complainant.

4. Learned State counsel on instructions from SI Jagdish Kumar has submitted that an amount of Rs.46 lacs is lying in the freezed Bank account of petitioner. It is, thus, evident that Rs.50 lacs has been deposited in the trial Court and an amount of Rs.46 lacs is freezed by the Investigating Agency lying in the account of the petitioner and the entire amount should be released to the complainant. Learned counsel for the petitioner has further stated that he has no objection if the amount of Rs.96 lacs (Rs.50 lacs lying deposited with the trial Court and Rs.46 lacs lying in the freezed account of the petitioner) is released to the complainant.



CRM-M-27703-2022 and connected cases -3-

5. In view of the above position, the Court is of the opinion that total amount of Rs.96 lacs i.e. the total of 50 lacs and 46 lacs, should be paid to the complainant for their necessary use. Ordered accordingly. However, the release of the above said amount would not in any manner affect the rights of the petitioner.

6. The trial Court where the amount of Rs.50 lacs is lying deposited and the Manager of the concerned Bank where the frozen amount of Rs.46 lacs of the petitioner is lying, are directed to comply with the above direction forthwith.

7. Although the order directing the petitioners to join the investigation was passed in CRM-M-27703-2022 but in the remaining two cases also the petitioners have joined the investigation despite the fact that their arrest was only stayed therein.

8. Learned State counsel, on instructions from SI Jagdish Kumar, affirmed the fact that all petitioners have joined the investigation and they are no more required for further investigation.

9. It has been submitted by learned State counsel that an amount of Rs.50 lacs was deposited with the trial Court by way of Demand Drafts and the same might have expired and as such these drafts could not be encashed. If such kind of situation arises, the petitioner as agreed would submit fresh demand drafts or re-validate the old one, and then it would be handed over to the complainant by the trial Court.

10. In view of the above, when all the petitioners have joined investigation, so the interim order granted in their favour, is made absolute subject to compliance of conditions as envisaged under Section

438(2) Cr.P.C.



- 11. Accordingly, petitions stand allowed.
- 12. A photocopy of this order be placed on the files of connected cases.

05.09.2024
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(RAJESH BHARDWAJ)
JUDGE

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