



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28998-2024
DECIDED ON: 31.05.2024

NARENDER SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vikas Lochab, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.284, dated 06.05.2024, under Sections 120-B, 420, 467, 471, 34 of IPC, registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends that the issue involved in the instant petition is primarily pertaining to a pronote executed by the complainant on account of friendly loan advanced from the petitioner because of her personal necessity to the tune of Rs.4,50,000/- and subsequently for non-payment of the said loan amount.

It is the contention raised on behalf of the petitioner that qua the said loan amount, cheques as security were given to the complainant which have been misused while those cheques were presented to the Bank without his knowledge whatsoever, the complaint under Section 138 of the

Negotiable Instruments Act has also been filed against the present petitioner by the complainant.

Notice of motion.

On the asking of the Court, Mr. B.S. Virk, Sr. DAG, Haryana accepts notice on behalf of the respondent-State and submits that allegation in the FIR is coming forth to the effect that said amount was taken against a promise for providing a job to the son of the complainant but since the petitioner failed to adhere to the said commitment, the instant FIR has been lodged.

Mr. Rajesh Bansal, Advocate has put in appearance on behalf of the complainant and has filed Memorandum of Appearance.

Be that as it may, having regard to the submissions made by respective parties, this Court does not find it a fit case for custodial interrogation of the petitioner in any manner wherein already the issue qua the payment which is in dispute has been raised in Section 138 of Negotiable Instruments Act by way of complaint before the competent Court and the same is pending adjudication.

In view of the above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one

week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

31.05.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No