



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

**CRM-M No.33092 of 2019 (O&M)
Date of Decision: 16.05.2024**

Neeraj Jain

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Nitin Jain, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana for respondent No.1.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 (2) of the Code of Criminal Procedure, 1973 read with Section 482 Cr.P.C. for cancellation of pre-arrest bail, granted to respondent No.2 by learned Additional Sessions Judge, Palwal, vide order dated 26.02.2019 (*sic* - 26.07.2018) [P-2] in FIR No.222 dated 30.03.2018, under Sections 406, 467, 468, 471, 420 & 120-B of the Indian Penal Code, 1860, registered at Police Station Sadar, District Palwal.

(2) The FIR in question was registered on the statement of complainant-Neeraj Jain, who is Director of Namo Alloys Pvt. Ltd., with the allegations that an amount of Rs.3,03,30,812/- has been usurped by respondent No.2 in connivance with co-accused Ritesh Jaju.



- (3) Learned Counsel for petitioner contends that complicity of respondent No.2 is apparent; yet he was granted the pre-arrest bail by learned Additional Sessions Judge on 26.07.2018.
- (4) Status Report by way of an affidavit dated 10.05.2024 of Sh. Narender Singh, DSP, District Palwal has been filed. The same is taken on record. Copy thereof supplied to the opposite side.
- (5) It appears that respondent No.2 is yet to be served.
- (6) Since matter is pending for the last five years; therefore, this petition is disposed off with liberty to the petitioner to take recourse of the remedy before learned Additional Chief Judicial Magistrate, on the basis of subsequent allegations i.e. dishonor of Cheque Nos.905062 dated 15.10.2018; 905063 dated 15.11.2018; 905064 dated 15.12.2018; 905065 dated 15.01.2019; 905066 dated 15.02.2019; 905067 dated 15.03.2019 & 905068 dated 15.04.2019 to the tune of Rs.25,00,000/- each, issued by respondent No.2 for discharging legal liability.
- (7) It is clarified that above observations be not construed as an expression of opinion on merits of the case in any manner.
- (8) Pending application(s), if any, shall also stand disposed off.

16th May, 2024
Gagan/v

(MAHABIR SINGH SINDHU)
JUDGE

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