



CRM-M-31340-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31340-2024 (O&M)

Date of Decision:- 29.07.2024

Raj Kumar and Another

....Petitioners

Vs.

State of Haryana and Another

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sameer S. Tiwari, Advocate
for the petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Munish Behl, advocate
for respondent No. 2.

AMARJOT BHATTI, J.

The petitioners – Raj Kumar and Anchal Rani have filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 99 dated 24.02.2024 under Sections 406, 408, 420, 467, 468, 471 and 120-B of Indian Penal Code, 1860, registered at Police Station Surajkund, Faridabad (Haryana).

2. As per the facts of case, complaint was filed against Arpit Bajpai and others for committing forgery, cheating, criminal breach of trust in conspiracy with each other. On 15.05.2023, accused No. 1 to 3 came to complainant with a request to sign cheque for a sum of Rs. 5,16,000/- in



favour of bank for payment of tax/GST. However, said cheque was utilized for preparing Demand Draft No. 007235 dated 18.05.2023 drawn on HDFC Bank Limited in favour of M/s GEE FMM Steel Industries India (P). No satisfactory reply was given by accused for preparing said demand draft. After going through balance sheet, account books, bank statements, it has come to know that all accused have committed fraud, causing huge loss of Rs. 4,16,32,752/- for the period July 2017 till March 2023. Checking of account is still under progress. With these allegations, FIR was registered.

3. Learned counsel for petitioners pointed out that earlier matter was settled as per compromise/Memorandum of Understanding dated 14.06.2024, which is Annexure P-1. This fact is confirmed by Mr. Munish Behl, Advocate, counsel representing respondent No. 2 and he has no objection if anticipatory bail petition is allowed.

4. Status report is filed by learned counsel representing State. It is pointed out that investigation is under process. Accused have committed big fraud. Considering the gravity of offence, they are not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. The facts of case indicate that dispute was regarding accounts of complainant concerned regarding which compromise was effected, Annexure P-1. Now, as per that compromise, things have been settled. Learned counsel representing respondent No. 2/complainant has given his no objection to the anticipatory bail petition. Petitioners are ready to join the investigation. Therefore, no purpose would be served by keeping



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petitioners behind the bars. They are ready to abide by terms of bail order. Therefore, without expressing my mind on the merits of case, anticipatory bail petition filed by petitioners – Raj Kumar and Anchal Rani is allowed. They be not arrested. In case of their arrest, they be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioners will join the investigation as and when required. They will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) Cr.P.C.

- 6. Petition is accordingly accepted.
- 7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

29.07.2024
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(AMARJOT BHATTI)
JUDGE

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