

[208] IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-33668-2023  
Date of Decision : 08.02.2024

Amit Kumar Garg @ Amit Kumar ...Petitioner  
**versus**  
State of Haryana ....Respondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Pratham Sethi, Advocate for the petitioner.  
Mr. Sumit Jain, Addl. AG, Haryana.

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**DEEPAK GUPTA, J. (ORAL)**

[1] On 17.07.2023, the following order was passed by this Court:-

“ Present: Mr. Pratham Sethi, Advocate for the petitioner.  
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*This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.237 dated 22.06.2023, under Section 420 IPC and Section 63 Copyright Act, 1958, registered at Police Station City Narwana, District Jind (Annexure P-1).*

*Learned counsel for the petitioner argues that the petitioner has been falsely implicated. Petitioner's firm, namely, Kisan Enterprises and the firm of the complainant, namely, Malu Electrodes Pvt. Ltd., are in a business relationship. The petitioner through his firm placed an order of welding rods with the firm of the complainant and in lieu of the same, an amount of Rs.1,50,000/- was remitted on 21.06.2023. Both the parties indulged into a dispute and the complainant exercising his influence, implicated the petitioner in the FIR mentioned above. It is submitted that no recovery is to be effected from the petitioner and he undertakes to cooperate in the investigation and abide by any condition that may be imposed for grant of bail apprehending arrest.*

*Learned counsel submits that the boxes of the material that are alleged to be fake, the sample whereof has not been got tested from CFSL or any other authorized laboratory for the said purpose. Only on the bald statement of the complainant, it is alleged that the material in question i.e. welding rods, are fake. It is further submitted that a civil dispute is being given the shade of a criminal offence.*

*On advance notice, Mr. Gurbir S. Dhillon, A.A.G., Haryana, accepts notice on behalf of the State and waives service.*

*Learned State counsel is not in a position to controvert that no recovery is to be effected from the petitioner. It is also a conceded position that as of now, there is no report of a Forensic Laboratory opining the seized goods to be fake.*

*Keeping in view the fact that it is yet to be established prima facie that the welding rods are fake or duplicate, as alleged by the complainant, it is considered to be a fit case for grant of interim bail.*

*List on 19.09.2023.*

*In the meantime, without commenting upon the merits of the case, the petitioner is directed to join investigation and cooperate with the investigating agency. In the event of his arrest, the petitioner be admitted to interim bail on his furnishing surety and bail bonds to the satisfaction of the investigating/arresting officer. He shall abide by the conditions specified in Section 438(2) Cr.P.C. ”*

[2] Today, learned State Counsel, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 17.07.2023 and is no longer required for further investigation.

[3] In view of the aforesaid, the order dated 17.07.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

[4] Disposed of.

**(DEEPAK GUPTA)**  
**JUDGE**

08.02.2024  
'Rajneesh'

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