



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

**CRM-M No.43596 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 31.07.2018 (P-4) 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.2,66,31,913/- has been illegally transferred from the bank accounts of complainant Company into the account of Spark Trading Company, owned by respondent No.2, by using forged signatures of complainant.



- (3) Learned Counsel for petitioner contends that allegations are very serious against respondent No.2 and his complicity is apparent; yet he was granted pre-arrest bail.
- (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) Perusal of para 11 of the aforesaid affidavit reveals that respondent No.2 was granted the concession of pre-arrest bail on 31.07.2018; but he has been declared as a proclaimed offender by the Court of competent jurisdiction on 05.08.2022.
- (6) Learned State Counsel has placed on record the order dated 05.08.2022 and which is taken on record as Mark 'X'.
- (7) Heard learned Counsel for the parties and perused the paper-book.
- (8) It is discernible that respondent No.2-Harish Aggarwal has already been declared as proclaimed person, vide order dated 05.08.2022, passed by learned Additional Chief Judicial Magistrate, Palwal; therefore, present petition is disposed off with liberty to the petitioner to take recourse to the remedy before learned Additional Chief Judicial Magistrate, where proceedings are stated to be pending in the aforesaid FIR.
- (9) Pending application(s), if any, shall also stand disposed off.

16th May, 2024
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(MAHABIR SINGH SINDHU)
JUDGE

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