



CRM-M-40961-2024 (O&M) and other connected matters
-1-

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:- 19.10.2024

(1)

CRM-M-40961-2024 (O&M)

Arpit Bajapai ...Petitioner

Vs.

State of Haryana ...Respondent

(2)

CRM-M-44143-2024

Nishu Rawat alias Neeshu Rawat ...Petitioner

Vs.

State of Haryana and others ...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Baljeet Beniwal, Advocate
for the petitioner in CRM-M-40961-2024.

Mr. Sumit Bajaj, Advocate
for the petitioner in CRM-M-44143-2024.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Munish Behl, Advocate
for the complainant in CRM-M-40961-2024 and
for respondents No. 2 and 3 in CRM-M-44143-2024.

AMARJOT BHATTI, J.

1. Both petitions, CRM-M-40961-2024 and CRM-M-44143-2024
as referred above arising out of common FIR are taken up together with
consent of learned counsel for parties.

**CRM-M-40961-2024 (O&M) and other connected matters**

-2-

For the convenience of this Court, documents mentioned in CRM-M-40961-2024 are referred.

2. Petitioners – Arpit Bajpai and Nishu Rawat alias Neeshu Rawat have filed separate petitions under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 99 dated 24.02.2024 (Annexure P-1) under Sections 406, 408, 420, 467, 468, 471 and 120-B of IPC, registered at Police Station Suraj Kund, Faridabad, Haryana.

3. 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. In FIR, it is alleged that it is a case of cheating and criminal breach of trust and huge amount to the tune of Rs.4,16,32,752/-. With these allegations, FIR was registered.

4. Learned counsel for petitioners argued that petitioner Arpit Bajpai was arrested on 06.06.2024, whereas, petitioner Nishu Rawat alias

**CRM-M-40961-2024 (O&M) and other connected matters****-3-**

Neeshu Rawat is in custody since 08.06.2024. With the intervention of well-wishers and respectables of society, matter has been compromised. Compromise deed dated 01.07.2024 is Annexure P-2. Co-accused Raj Kumar and Anchal Rani have been granted anticipatory bail by this Court vide order dated 29.07.2024 passed in CRM-M-31340-2024, which is Annexure P-4 (in CRM-M-40961-2024). Present petitioners are ready to abide by the terms and conditions of bail order. It is prayed that in view of compromise, their regular bail petitions may be allowed.

5. Status report filed in both cases. As per status report, FIR has been registered against present petitioners alongwith co-accused. There are specific serious allegations against present petitioners and other accused persons. It is a case of cheating and breach of trust regarding huge amount. It is not disputed that matter has been settled.

6. Learned counsel for complainant also confirmed the compromise and stated that he has no objection if petitioners are released on bail.

7. I have considered the aforesaid factual position. There were grave allegations against present petitioners alongwith other co-accused. However, matter has been settled between the parties. Copies of compromise deeds are also annexed with bail petitions, which are confirmed by learned counsel for complainant. Even otherwise, present petitioners have already joined investigation and they are in judicial lockup. Considering the aforesaid factual position and without going on the merits, **regular bail petitions i.e. CRM-M-40961-2024 and CRM-M-44143-2024 filed by petitioners Arpit Bajapai and Nishu Rawat alias**

CRM-M-40961-2024 (O&M) and other connected matters

-4-

Neeshu Rawat respectively are allowed. They are ordered to be released on bail on furnishing their bail bonds and surety bonds to the satisfaction of Illaqa Magistrate/Duty Judge concerned.

8. Pending miscellaneous application(s), if any, in both cases, stand disposed of accordingly as well.

19.10.2024
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(AMARJOT BHATTI)
JUDGE

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