



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-46809-2024

Date of decision: 12.12.2024

Saurabh Bhardwaj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abhishek Dhull, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Shashikat Singh, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.266 dated 04.08.2023 under Sections 419, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 at Police Station Sector 31, District Faridabad.

2. On 19.09.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“At the outset, a pointed query has been put to the learned counsel as to how a second petition under Section 438 of the Cr.P.C. is maintainable, more so when the previous petition was dismissed vide a detailed order on merits by this Court, learned counsel submits that pursuant to the dismissal of the previous petition under Section 438 of the Cr.P.C., the parties have arrived at an



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amicable settlement and the disputed sum of money i.e. ₹51 lakh stands returned to the complainant. Learned counsel has also drawn the attention of this Court to the compromise deed affected between the parties, which has been annexed as Annexure P-4.”

3. Learned counsel for the petitioner submits that in compliance of order dated 19.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, submits that although the petitioner has joined investigation, however, he has not fully cooperated with the investigating agency and thus, his custodial interrogation would be required.

5. Learned counsel appearing for the complainant has not disputed the submissions made by learned counsel for the petitioner on the last date of hearing that the complainant had amicably settled the dispute with the petitioner and the disputed sum of ₹51 lakhs has also been returned to the complainant. He does not oppose the prayer made for extending the concession of anticipatory bail to the petitioner.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. In view of the above, the petition is allowed and interim order dated 19.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

12.12.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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