



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(215)

CRM-M-52663-2024(O&M)

DATE OF DECISION:10.12.2024

Kushan Garg

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM HON'BLE MR.JUSTICE KULDEEP TIWARI

Present Mr.Sitanshu Sharma, Advocate,
for the petitioner.

Mr. Bhupinder Singh, DAG, Haryana.

KULDEEP TIWARI, J (ORAL)

1. On 23.10.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.178 dated 27.08.2024, under Sections 406, 420 of the IPC, registered at P.S. City Safidon, District Jind.

2. The learned counsel for the petitioner inter alia submits that, it is purely a case of business transaction, which has been given the colour of a criminal offence, and that, criminal proceedings cannot be used as a tool to recover sums of money involved in a business transaction. He also refers to some transactions, where through, the petitioner has purportedly returned money to the complainant.

3. Notice of motion for 20.11.2024.

4. Mr. Rajesh Gaur, Addl. A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.



5. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. In deference to the directions issued by this Court vide order (supra), petitioner failed to join investigation, this Court granted one more opportunity, however, subject to costs of Rs.5,000/- vide order dated 20.11.2024.

3. Learned counsel for the petitioner today, informs this Court that not only petitioner joined investigation but he has also deposited the costs as imposed upon him. He placed on record the photocopy of the receipt, same is taken on record.

4. Mr. Bhupinder Singh, DAG, Haryana, after having instructions from the quarter concerned, informs this Court that now the petitioner has joined investigation and fully co-operated and he is no longer required for further custodial interrogation.

5. In view of the above, the hereinabove extracted interim order dated 23.10.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;



(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

6. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

10.12.2024
mamta

(KULDEEP TIWARI)
JUDGE

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