

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2025:PHHC:031288



(219)

CRM-M-43744-2024

Date of Decision: 05.03.2025

Kuldeep

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. S.S. Kang, Advocate for the petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana with
SI Vikas.

Mr. Mohit Chaudhary, Advocate for the complainant.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 482 of the BNSS, 2023 in case FIR No.62 dated 20.01.2024 under Sections 406, 420 IPC, registered at Police Station, Sadar Karnal, District Karnal.

On the last date of hearing, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“The petitioner seeks grant of anticipatory bail in respect of the FIR No. 62 dated 20.01.2024 under Sections 406, 420 IPC, 1860 registered at Police Station Sadar Karnal, District Karnal wherein the complainant Sumit has levelled allegations to the effect that the petitioner had defrauded the complainant for an amount of Rs. 30 lacs on the pretext of sending him abroad.

When the matter was taken up for hearing on the last date, the following order was passed:-

“Today, learned counsel for the petitioner submits that the petitioner is ready and willing to amicably resolve the matter with the complainant. Learned counsel further submits that his client, in order to prove his bonafide, is willing to deposit an amount of Rs.5 lakhs before the trial Court. Notice of motion for 18.11.2024. The petitioner as well as the complainant, namely, Sumit son of Sita Ram shall appear before the Secretary, DLSA, Karnal on 20.09.2024 at 10.00 AM, who shall refer them to some seasoned Mediator to probe the possibility of compromise. The petitioner, as per his offer made in the Court today, shall deposit an amount of Rs.5 lakhs before the trial Court/Illaq Magistrate within a period of one month from today. Upon deposit of said amount, the same shall be got invested in FDR in some Nationalized Bank. The trial Court/Illaq Magistrate shall, however, issue specific directions to the Bank concerned not to entertain any request for encashment of the same except under orders of the Court. Meanwhile, arrest of the petitioner shall remain stayed.”

Learned counsel for the petitioner has submitted that pursuant to the order dated 05.09.2024, the petitioner has already deposited an amount of Rs.5 lacs before the trial court concerned. It has also been submitted that the petitioner as well as the complainant had also appeared before the Mediator at Karnal but the same did not yield any result.”

Learned counsel for the petitioner submits that in compliance of order dated 18.11.2024, the petitioner has joined investigation and cooperated with the investigating agency. In addition the petitioner has also complied with the orders of this Court by depositing an amount of Rs.5 lacs before the Trial Court concerned and another sum of Rs.15 lacs have been deposited into the account of the complainant.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 18.11.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

05.03.2025

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