



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-24458-2025

Date of Decision:-23.07.2025

Anil Kumar Goyal.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Shailesh Aggarwal, Advocate for the Petitioner.

Mr. Viney Phogat, Deputy Advocate General, Haryana.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 528 BNSS is for setting aside the order dated 16.11.2024 (Annexure P-8) passed by the CJM, Panipat while dismissing the application no.CRM-182-2023 for release of the FDR.

The Counsel for the petitioner contends that FIR No.1578 dated 24.11.2015 under Sections 120-B, 420, 467, 468 and 471 IPC P.S. Panipat City, District Panipat, Haryana came to be registered against the petitioner and certain other persons. The petitioners sought the concession of anticipatory bail and on 24.09.2016 the following order was passed:-

“ *Notice of motion for 30.11.2016*

In the meanwhile, petitioner is directed to join the investigation subject to deposit a sum of Rs.20 lacs with the concerned Chief Judicial Magistrate/Duty Magistrate. In the



event of arrest, petitioner shall be released on interim bail at the satisfaction of the Arresting officer/Investigating Officer subject to the conditions as envisaged under Section 438(2) Cr.PC.

This order shall be operative from the date of deposit of a sum of Rs.20 lacs with the concerned Chief Judicial Magistrate/Duty Magistrate.”

Thereafter anticipatory bail granted vide aforementioned order was confirmed on 17.01.2018 and said order is reproduced hereinbelow:-

“ It is contended that in pursuance of the direction issued by this Court vide order dated 24.09.2016, the petitioner has already deposited an amount of Rs.20 lacs and it is also submitted that even prior thereto also he has deposited Rs.20 lacs i.e. total 40 lacs.

The above factual aspect is not disputed by learned counsel for the complainant.

Learned Counsel for the petitioner has further submitted that the petitioner has joined the investigation in terms of order dated 24.09.2016 passed by this Court and this fact is not disputed by learned State counsel.

There is no dispute that an agreement was executed between the parties and there are certain terms and conditions appended therein and relationships of contracting parties shall be governed thereunder.

In the light of above circumstances interim bail granted to the petitioner vide order dated 24.09.2016 is made absolute subject to conditions as envisaged under Section 438(2)



Cr.PC.

However, the above observations are not be construed as an expression of an opinion on the merits of the case.

Petition stands disposed of.”

Later an untrace report was submitted and accepted by the Illaqa Magistrate on 18.01.2024. The petitioner moved an application seeking release of the FD for a sum of Rs.20 lacs but the said application was declined by the concerned court stating that the order for depositing Rs.20 lacs has been passed by this Court. He thus contends that in the current scenario once the untrace report has already been accepted the said FD of Rs.20 lacs be released in favour of the petitioner.

The Counsel for the State has not disputed the factual position that an untrace report was filed and has been accepted as per the reply dated 07.07.2025.

In view of the above, the present petition is allowed. The Chief Judicial Magistrate, Panipat is directed to release the FD for a sum of Rs.20 lacs deposited by the petitioner forthwith against proper receipt and identification.

**(JASJIT SINGH BEDI)
JUDGE**

July 23, 2025

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>