

CRM-M-58146-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-58146-2024 (O&M)

Date of decision : 4.2.2025

Himanshu Mittal

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Jasinder Singh Sekhon, Advocate,
for the petitioner.

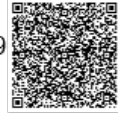
Mr. Inderjeet Singh Ladher, DAG, Punjab

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.203 dated 18.10.2024 registered under Sections 406, 420 IPC at Police Station City Rupnagar, District Rupnagar.

2. Allegations in nutshell are that the accused persons including the present petitioner induced the complainant and received amount of ₹ 7 lakh on the pretext that the same will be invested in some business.

3. On the last date of hearing, it was brought to the notice of this Court that there is no such authentic document available with the complainant with regard to entrustment of the aforesaid amount to the accused persons including the petitioner. Resultantly, the petitioner was granted interim bail with direction to join investigation with the police.



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4. Today, counsel appearing on behalf of the petitioner submits that by virtue of the aforesaid order of interim bail, the petitioner has already joined investigation with the police.

5. State counsel on instructions from ASI Laxman Dass made separate statement that indeed, the petitioner has joined investigation with the police in compliance of earlier order.

6. Apparently, there appears to be certain money dispute between the parties. It is matter of evidence as to whether any such money was entrusted to the accused persons by the complainant. Further, it is also a subject matter of trial as to whether the petitioner was having any malafide intention from the very beginning to defraud the complainant. Further, the police as well as the Court cannot act as a recovery agent to get effect recovery of the disputed amount from the accused persons.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 21.11.2024 is hereby made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

(KARAMJIT SINGH)
JUDGE

February 4, 2025

Paritosh Kumar

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