

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M -41062 of 2016 (O&M)
Date of decision: 13.01.2017

Manpreet

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rajesh Tushar, Advocate for
Dr. RPS Girwar, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Ashok Kumar.

Mr. Rohit Sud, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.0684 dated 05.09.2016, registered under Section 408 of IPC, at Police Station DLF, Gurgaon.

On 18.11.2016, this Court had passed the following order:-

“Learned counsel refers to the E-mails dated 25.10.2016 sent by the petitioner to the complainant apprising the complainant company about the irregularities taking place in the functioning of the Clinic. Learned counsel further contends that the petitioner has been falsely implicated. The petitioner was issued No Due Certificate.

Notice of motion.

At the asking of the Court, Mr. Saurabh Mohunta, DAG, Haryana, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

At this stage, Mr. Maninder Singh, Advocate for Mr. Rohit Sud, Advocate causes representation on behalf of the complainant.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, she shall be released on interim bail subject to the following conditions:

1.That she shall make herself available for interrogation by a police officer as and when required;

2.That she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3.That she shall not leave India without prior permission of the Court.

Post again on 13.01.2017.”

It is contended that in pursuance of the order dated 18.11.2016, the petitioner has joined the investigation.

The learned counsel for the complainant states that he has no objection in case the present petition is allowed, however, the learned State counsel, on instructions submits that though the petitioner has joined the investigation, however, he is not cooperating.

Keeping in view the statement made by learned counsel for the complainant, without expressing any opinion on the merits of

the case, the interim bail granted by this Court vide order dated 18.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

13.01.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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