

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

Date of Decision: 24.07.2018

1. CRM-M-1804-2018

Sushil Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

AND

2. CRM-M-12987-2018

Rajiv Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Anuj Balian, Advocate
for the petitioner in CRM-M-1804-2018.

Mr. Balbir K. Saini, Advocate
for the petitioner in CRM-M-12987-2018.

Mr. B.S. Virk, DAG, Haryana.

...

Inderjit Singh, J. (Oral)

This order shall dispose of CRM-M-1804-2018, filed by petitioner-Sushil Kumar and CRM-M-12987-2018, filed by petitioner-Rajiv Kumar, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.126 dated 20.08.2017, registered at Police Station Raipur Rani under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code.

Notice of motion was issued in both these petitions.

Learned State counsel put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

From the record, I find that the allegations against the present petitioners-Sushil Kumar and Rajiv Kumar are that in connivance with those persons, who impersonated as Nasib Singh @ Pritam Singh Guleria and Harjit Singh @ Tony, introduced the vendor to complainant-Ravi Singh and the complainant paid the money to other persons not to the petitioners. It has been brought to the notice of this Court that main accused whose name is Nasib Singh (actual name is Pritam Singh Guleria) has already been granted benefit of regular bail and co-accused Harjit Singh @ Tony has also been granted benefit of anticipatory bail. As per the FIR, money has not been given to the petitioners.

In pursuance of the interim orders dated 18.01.2018 and 27.03.2018 passed in CRM-M-1804-2018 and CRM-M-12987-2018 respectively by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. No useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present cases; without discussing the facts of the cases in minute details and without expressing any opinion on the merits of the cases, I find merit in both these petitions and the same are allowed. The orders dated 18.01.2018 and 27.03.2018 passed in CRM-M-1804-2018 and CRM-M-12987-2018 respectively granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

However, it is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

24.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No