

CRM-M-35476-2018

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

CRM-M-35476-2018

Date of Decision: 05.10.2018

Anoop Kashyap

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Saurabh Sharma, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.171 dated 29.03.2018, registered at Police Station Pehowa, District Kurukshetra, under Sections 406, 420, 506 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that FIR has been registered on the basis of application given by complainant-Papinder Singh. As per the allegations

CRM-M-35476-2018

who further told that he knows one Brij Bhushan @ Harsh, who is an agent and sends people abroad. As per the FIR, no money has been given to the present petitioner. Neither he ever introduced the complainant nor was present at the time of transaction. The only reference in the FIR is that accused No.3-Anoop Kashyap (present petitioner) also became a part of the party in the case and he was with the accused.

In pursuance of the interim order dated 20.08.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that nothing is to be recovered from the present petitioner and no useful purpose will be served by sending him to custody. Therefore, finding merit in the present petition, the same is allowed. The order dated 20.08.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner 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.

05.10.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No