

Sr. No.205

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

CRM No. M-38358 of 2017 (O&M)

Date of Decision: 18.04.2018

Devender Yadav

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. S.K.Yadav, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Navmohit Singh, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Instant petition has been filed under Section 438 Cr.P.C.
seeking concession of anticipatory bail to the petitioner in case FIR
No.267 dated 05.06.2017, under Sections 406, 420 of IPC,
registered at Police Station City Narnaul, District Mahendergarh.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Hari
Shankar. Allegations in a nutshell are that the complainant has
been duped of a sum of Rs.1,42,000/- on the pretext of getting him
a job in the merchant Navy.

Insofar as the present petitioner is concerned, the
alleged entrustment is of Rs.25,000/- by cash.

Balance amount is stated to have been deposited in the

bank accounts of the co-accused who was ostensibly running a training academy in Mumbai city.

While issuing notice of motion, the following order was passed by this Court on 12.10.2017:-

“It is inter alia contended that the petitioner Devender Yadav at the most, if allegations in the FIR are taken to their face value, has no role to play as the complainant Hari Shankar has voluntarily joined the training academy and paid necessary charges, and to enable him to get back the same has filed a false case.

Notice of motion for 05.02.2018.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) Cr.P.C.”

Thereafter, case came up for hearing on 06.03.2018 and undertaking of the counsel for the petitioner was recorded that petitioner would cooperate in the investigation and would furnish the particulars of the three other co-accused and in whose bank accounts different amounts of money had been deposited.

Learned State counsel upon instructions from HC Kuldeep Singh has apprised the Court that petitioner has since joined investigation and has even furnished the particulars of the other three co-accused. State counsel further submits that during the course of investigation and upon the particulars having been furnished by the petitioner, it has been verified that different sums of money had been deposited in the bank accounts of the co-

accused.

Petitioner having joined investigation and having cooperated with the Investigating Agency, his custodial interrogation as such would not be warranted.

Prayer made in the instant petition is accepted.

Order dated 12.10.2017, passed by this Court is made absolute.

Disposed of.

18.04.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No