

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

**CRM-M No.14096 of 2019 (O&M)
Date of Decision: 26.04.2019**

Pawan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

S.I. Samrudin for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.5 dated 06.01.2019, under Sections 409, 420, 34 of the Indian Penal Code, 1860, registered at Police Station Sector 10, Gurugram.

This Court, while issuing notice of motion on 28.03.2019, passed the following order:-

“ Contends that alleged Cheque No.000070 dated 28.12.2018 for an amount of Rs.10 Lakhs, issued by Mahesh Gupta, has been encashed by Man Singh as the same was issued in his favour and the petitioner has no role at all with the same.

Notice of motion for 26.04.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his

*furnishing adequate bail and surety bonds to his satisfaction.
The petitioner is also directed to abide by all the conditions as
envisaged under Section 438(2) Cr.P.C.*

*However, it is clarified that in case the assertion is
found to be incorrect, the petition would be liable to be
dismissed with exemplary costs. ”*

Today, S.I. Samrudin, who is present in the Court, submits that
petitioner has joined the investigation in terms of order dated 28.03.2019
and his custodial interrogation is no longer required.

In view of above, interim order dated 28.03.2019 is made absolute
subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the
present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the
Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of
opinion on the merits of the case.

April 26, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>