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

CRM-M-23249 of 2019 (O&M)

Date of decision: September 17, 2019

Deepak Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Parveen Kumar, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.0102 dated 14.04.2019, under Section 409 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Chandimandir, District Panchkula.

As per prosecution case, petitioner cheated the complainant to the tune of ₹1,99,000/-.

On 15.07.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that petitioner is ready to refund the amount to the tune of ₹1,99,000/- received from the complainant, within a period of 4 weeks from today.

Notice of motion returnable on 17.09.2019.

In the meanwhile, petitioner is directed to join investigation before the Investigating Officer. In the event of

his arrest, the Arresting Officer would admit him to interim bail, 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) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from Sub Inspector Bachu Singh, has stated that in terms of order dated 15.07.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 15.07.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

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

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

(MAHABIR SINGH SINDHU)
JUDGE

September 17, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No