

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-44363-2019(O&M)

Date of decision: 05.12.2019

Aakarshan Uppal

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. R.S.Cheema, Sr. Advocate with  
Mr. A.S.Cheema, Advocate for the petitioner

Mr. Manish Bansal, DAG, Haryana

**ANIL KSHETARPAL, J. (ORAL)**

Petitioner prays for pre-arrest bail in FIR No.728 dated 25.9.2019 registered under Sections 384 and 120-B IPC at Police Station Civil Lines, Karnal.

On 22.10.2019, following order was passed by this Court:-

“After hearing the learned counsel for the parties, it is considered appropriate to direct the petitioner to join the investigation.

List on 14.11.2019.

In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under

Section 438(2) Cr.P.C.”

Petitioner pursuant to the direction joined investigation. However, on the request of the learned counsel representing State, petitioner was once again directed to join investigation vide order dated 19.11.2019 which is extracted as under:-

“Learned counsel for the State, on instructions from SI Dharampal, has submitted that the petitioner has joined investigation. However, he may be requested to once again join the investigation as the laptop of the petitioner is required to be examined.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that the petitioner would once again join investigation at 10:00 AM on 21.11.2019 at the concerned Police Station alongwith his laptop and the Investigating Officer shall be at liberty to take copy of the relevant material available in the laptop.

Adjourned to 05.12.2019.

Interim protection to continue.”

Reply has been filed.

Learned State counsel on instructions from SI Dharam Pal has submitted that petitioner has joined investigation, cooperated and has supplied the required data in a pen-drive.

Learned counsel for the first informant submits that petitioner is not entitled to grant of concession of pre-arrest bail since the amount is yet to be recovered.

This Court has considered the submissions. The criminal

prosecution is not for recovery of the amount. Still further the case of the prosecution is yet to be established and proved. At this stage, the Court has to see as to whether custodial interrogation of the petitioner is required or not.

Keeping in view the facts of the case and conduct of the petitioner, interim protection granted on 22.10.2019 is made absolute.

Petition stands allowed.

**05.12. 2019**

rekha

Whether speaking/reasoned

Whether Reportable

**(ANIL KSHETARPAL)**

**JUDGE**

Yes / No

Yes / No