

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

CRM-M-18378-2020
Date of decision: 27.8.2020

Sandeep Sehrawat

.....Petitioner.

vs.

State of Haryana

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Paras Talwar, Advocate, for the petitioner.

Mr. Rajneesh Chadwal, Assistant Advocate General,
Haryana.

.....

Sanjay Kumar, J. (ORAL)

The petitioner seeks anticipatory bail in relation to FIR No. 86 dated 14.5.2019 on the file of Police Station Sadar Bahadurgarh, District Jhajjar, registered under Sections 406, 420 and 506 IPC.

The petitioner was not named as an accused in the FIR. The accused therein implicated him in their disclosure statements, claiming that out of the monies collected by them, ₹ 45 lakh had been given to the petitioner. He, on the other hand, staunchly denied the allegation and claimed that he never received any money from the said accused.

By order dated 13.7.2020 passed in this case, this Court directed the petitioner to join investigation and in the event of his arrest, the Arresting Officer was directed to admit him to interim bail upon his furnishing adequate bail and surety bonds. The petitioner was also directed to abide by the conditions stipulated in Section 438 (2) Cr. P.C.

Mr. Rajneesh Chadwal, learned Assistant Advocate General, Haryana, states that the petitioner joined investigation pursuant to the aforestated order but the amount of ₹ 45 lakh is yet to be recovered.

However, as it is the claim of the petitioner that he never received any such monies, his failure to assist the police in the recovery thereof cannot be held to be lack of cooperation on his part. The petitioner is stated to be otherwise cooperating with the police in the investigation.

That being so, it is for the police to establish the culpable role of the petitioner, if any, and he cannot be expected to incriminate himself.

The petition is accordingly allowed making absolute the interim order dated 13.7.2020. In the event the petitioner has already been arrested and furnished adequate bail and surety bonds to secure interim bail, the same shall be kept alive till the disposal of the case. However, in the event he is arrested in relation to this case hereafter, he shall be released on bail upon furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. He shall also abide by the conditions prescribed in Section 438 (2) Cr. P.C.

(SANJAY KUMAR)
JUDGE

27.8.2020

preeti	
whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no