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

**CRM-M-24017-2020
Date of Decision: 07.09.2020**

Kuldeep Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Ms. Jainika Jain, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for anticipatory bail filed under Section 438 Cr.P.C. on behalf of the petitioner in case FIR No.58 dated 21.03.2020, under Sections 419, 420, 467, 468, 471 and 474 of the IPC and Section 68 (D) of the Information Technology Act, 2000, registered at Police Station Lambi, District Sri Muktsar Sahib.

[2]. Ld. Counsel for the petitioner has drawn attention of the Court to the fact that there is no direct material against her client and his name has transpired only by the disclosure statement of the principal accused Rajesh Kumar, who happens to be the own brother-in-law of the petitioner. Her further submission in this regard is that there is bad blood between the petitioner and his brother-in-law following the death of the petitioner's wife Sunita, on account of which after being apprehended, the petitioner's brother-in-law, who is otherwise the brother of his deceased wife has motivatedly implicated the petitioner out of pure outstanding grudge even

though the petitioner is a resident of District Hisar (in the State of Haryana) and the alleged offences in which the principal accused Rajesh Kumar was involved and apprehended were committed in District Sri Muktsar Sahib (in the State of Punjab).

[3]. In view of the fact that the principal accused was arrested on the basis of electronic surveillance and the only implicating material against the petitioner is the disclosure statement of the said principal accused himself, this Court is of the opinion that his custodial interrogation is not called for.

[4]. As such, the petitioner's prayer for anticipatory bail is allowed and the petitioner shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. However, he 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.

[5]. Disposed off.

07.09.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No