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

CRM-M No.31960 of 2020(O&M)

Date of Decision: 04.12.2020

Gurjeet Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. M.S. Khaira, Sr. Advocate with
Mr. Ripudaman Singh, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. Kuldeep Singh, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No190 dated 29.08.2020 registered under Sections 406, 420 IPC at Police Station Shahzadpur, District Ambala.

On 09.10.2020, following order was passed by the Co-ordinate Bench (HMJ Fateh Deep Singh):-

“Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Learned counsel for the petitioner *inter alia* contends that there is no direct allegation against the petitioner-Gurjeet Singh of his involvement, which is aimed primarily against the co-accused/nonapplicant-Gulshan Gupta and that nothing is to be recovered from the petitioner.

Notice of motion for 04.12.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail to the satisfaction of arresting/Investigating Officer. The petitioner shall, however, join the investigation within a period of one month and he shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel on instructions from ASI Roop Singh submits that the petitioner has joined the investigation but he has not cooperated with the Investigating Officer.

Learned counsel for the petitioner strongly refuted the aforesaid contention on the ground that as per the recital in the FIR itself, the payment to the petitioner has not been proved.

Learned counsel for the complainant submits that the challan has been presented qua the co-accused and part recovery has been effected from him.

Since the payment of amount to the petitioner is in dispute, therefore, assertions and denial by the parties would be subject to judicial scrutiny by the Court.

In view of aforesaid factual position, the interim order dated 09.10.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he

shall abide by the conditions as envisaged under Section 438(2)
Cr.P.C.

Petition stands disposed of.

December 04, 2020
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No