

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

CRM-M-53268-2019
Date of decision: 18.02.2020

Hem Singh Bharana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rajiv Sidhu, Advocate for
Mr. N. S. Shekhawat, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0199 dated 25.03.2015, under Sections 420, 406 and 120-B of the Indian Penal Code, 1860, registered at Police Station City Palwal, District Palwal.

The operative part of the order dated 16.12.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner contends that the petitioner had resigned as the Managing Director of the Company on 05.01.2011 while the allegations pertain to an agreement entered into between the complainant and the Company on 10.02.2012. He also contends that no money was paid in the account of the petitioner at any stage by the complainant. He also contends that the petitioner has already got protection from arrest in other connected cases from Coordinate Benches of this Court. He has referred to the copy of the orders of the Coordinate Benches of this Court at Annexures P7 to P9.

Issue notice to the respondent returnable on

18.12.2019.

At the asking of the Court, Mr. D.R. Singla, DAG, Haryana, accepts notice on behalf of the respondent - State and prays for time to seek instructions.

The arrest of the petitioner shall remain stayed till the next date of hearing.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 16.12.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Ranveer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 16.12.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation by issuing written notice in this regard, in case it so required.

18.02.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No