

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2636-2020 (O&M)
Date of Decision:- 28.7.2021

Rakesh		 Petitioner
	Versus	
State of Haryana		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikram Singh, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Naresh Kumar.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.673, dated 11.7.2018, Police Station City Jhajjar, District Jhajjar, under Sections 420, 406 IPC.
2. At the time of issuance of notice of motion on 22.1.2020 the following order was passed:

“Present petition under Section 438 of Cr.P.C. for seeking anticipatory bail to the petitioner – Rakesh in case FIR No. 673 dated 11.07.2018 under Sections 420, 406 of IPC 1860, registered at Police Station City Jhajjar, District Jhajjar.

Briefly the FIR has been registered on the allegations that at the construction site of Manjeet, 38 cement bags belonging to Government were found but he could not produce any proof with regard to purchase of the said cement. On enquiry, it revealed that the cement has been procured from Rakesh Thekedar, Government Contractor, resident of village Dhakla.

Learned counsel for the petitioner states that the petitioner is not resident of village Dhakla but resident of village Barhana and has no role with regard to procurement of cement alleged to have been recovered and even no amount has been credited in his account. No document shows that petitioner has made any transaction with Manjeet.

Notice of motion for 24.04.2020.

Meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Naresh Kumar, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and he is not wanted in any other case.
4. In view of the aforestated position, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and the

interim directions issued by this Court vide order dated 22.1.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

28.7.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No