

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202-B)

CRM No. M-5085 of 2020

Date of Decision : 29.11.2021

Ajay Bhootra

....Petitioner

Versus

State of Haryana

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Nishant Raj, Advocate for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 548 dated 30.11.2019 registered under Sections 406 and 420 of the Indian Penal Code, 1860 at Police Station Sector 5, District Panchkula, Haryana.

Learned counsel appearing on behalf of the petitioner contends that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court dated 05.02.2020. Order dated 05.02.2020 is as under:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.0548 dated 30.11.2019 registered under Sections 406 and 420 of the Indian Penal Code, 1860 at Police Station Sector-5, Panchkula.

Learned Counsel for the petitioner has submitted that the petitioner is not a director, signatory or a shareholder in the company. The petitioner did not receive any amount as beneficiary to the transaction. The petitioner is ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Arjun Singh

Yadav, Asstt. A.G., Haryana accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to learned State Counsel, who seeks time to complete his instructions.

Adjourned to 13.02.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him. ”

Learned State counsel on instructions from PSI Satish Kumar, Crime Branch, Panchkula states that in terms of the order of a Co-ordinate Bench of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 05.02.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 29, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No