

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

204

CRM-M-19767 of 2021
Date of decision : 17.09.2021

Virender

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

**Present: Mr. Karan Singh, Advocate,
for the petitioner.**

Mr. Karan Garg, A.A.G., Haryana.

HARSIMRAN SINGH SETHI J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 56 dated 12.03.2021, registered under Sections 409, 420, 467, 468 and 471 IPC at Police Station Rajound, District Kaithal.

Learned counsel for the petitioner contends that the petitioner has joined the investigation in terms of order passed by this Court dated 18.05.2021. Order dated 18.05.2021 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.56 dated 12.03.2021 under Sections 409, 420, 467, 468, 471 of IPC registered at Police Station Rajound, District Kaithal.

Learned counsel for the petitioner submits that the allegations alleged against the petitioner that petitioner withdrew the amount from the account

belonging to the sister of the complainant are incorrect. Learned counsel for the petitioner further submits that as the pressure was being put upon the petitioner, he has deposited the alleged amount and now no recovery of the withdrawn amount is to be made from the petitioner hence, the petitioner be granted the benefit of anticipatory bail.

Notice of motion.

Ms. Rajni Gupta, Addl. A.G. Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel concedes that the amount, which was allegedly withdrawn from the account belonging to the sister of the complainant has been deposited by the petitioner voluntarily after the said fact came to the knowledge of the authority.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the embezzled amount has already been deposited by the petitioner and the learned counsel for the petitioner has undertaken before this Court that the petitioner will join and cooperate in the investigations and also keeping in view the situation of pandemic of Covid-19, no useful purpose will be served by sending the petitioner behind the bars, at this stage, in case, the petitioner joins and cooperates with the investigations.

The petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting

Officer/Investigating Officer subject to the following conditions:-

(i) That he shall make himself available for interrogation by the police officer as and when required.

(ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That he shall not leave India without prior permission of the Court. (iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.

Adjourned to 08.09.2021.”

Learned State counsel, who is present in the Court, on instructions from SI Shamsheer Singh states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join the investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, order dated 18.05.2021 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 cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

17.09.2021
 jyoti-II

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No