

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM No. M-26739 of 2021

Date of Decision : 13.10.2021

Naresh Chaudhary

....Petitioner

Versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vikas Saroha , Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 08 dated 06.01.2021, under Sections 406 and 420 IPC, registered at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 13.07.2021. Order dated 13.07.2021 is as under:-

“Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.08 dated 06.01.2021, under Sections 406 and 420 IPC, registered at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner contends that there is a delay of 03 months in registering the FIR wherein it is alleged that 04 accused including the petitioner had purchased buffaloes but had not made the payment. He,however, contends that the petitioner had paid a sum of `49,000/- to the complainant. The cheque issued by the co-accused had been dishonoured. The petitioner is not involved in any other

criminal case.

Issue notice to the respondent.

At the asking of the Court, Mr. Vijesh Sharma, Addl. AG, Haryana accepts notice on behalf of the respondent-State.

List on 04.08.2021.

In the meantime, petitioner is directed to appear before the Investigating Officer and join investigation.

In the event of his arrest, the Investigating Officer/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel on instructions from SI Ramesh states that in terms of the order of 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 13.07.2021 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 co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

October 13, 2021

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No