

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

207

**CRM-M-24391-2020
Decided on : 11.01.2021**

Mahesh Sharma

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Rajesh Garg, Sr. Advocate with
Mr. Rakesh Dhiman, Advocate,
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana
assisted by HC Ravi Kumar.

Mr. Rahul Makkar, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 144, dated 04.07.2020, under Section 406 IPC, registered at Police Station Linepar, Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner states that pursuant to order dated 28th August, 2020, passed by this Court, the petitioner has joined investigation.

Learned State counsel on instructions from HC Ravi Kumar, has not been able to controvert the factum of the petitioner having joined the investigation, however, he submits that the custodial interrogation of the petitioner would be required as recovery of Rs. 44.00 lakhs, is yet to be effected. He has, however, conceded that recovery of mobile phone and car has been effected from the petitioner.

Heard.

The learned State counsel has failed to satisfy this Court *qua* any convincing, much less, cogent reason, which would require custodial interrogation of the petitioner in the instant case. Accordingly, the instant petition is allowed and interim order dated 28th August, 2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

January 11, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*