

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

CRM-M-38981-2020 (O&M)
Date of Decision:-31.3.2021

Raju @ Rajesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Surinder Gandhi, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Virender Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.237 dated 12.08.2019 at Police Station, Nangal Chaudhary, District Mahendergarh under Sections 406, 420/34 Indian Penal Code.
2. At the time of issuance of notice of motion on 25.11.2020, the following order was passed:

“Learned counsel for the petitioner contends that as per the FIR it is one Krishan whose name later came to be known as Varinder who was into business of sale and purchase of buffaloes, who is alleged to have taken 94 buffaloes from the complainant and others but had not paid the amount in respect of the said buffaloes. Learned counsel has submitted that the petitioner is nowhere named in the FIR and is sought to be nominated on the ground that the aforesaid Varinder was accompanied by two other persons.

Notice of motion for 31.03.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the 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.

3. The learned State counsel upon instructions from SI Virender Singh has informed that although the petitioner has joined investigation but he is not disclosing the names of the purchaser to whom buffaloes have been sold. The learned State counsel has submitted that the petitioner was actively involved in the sale of buffaloes and that although he has joined investigation but he is not fully cooperating inasmuch as all the details of the purchaser have not been furnished by him.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the nature of allegations and the fact that the petitioner, in any case, has joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 25.11.2020 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.

31.3.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**