

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

CRM-M-2703-2021 (O&M)
Date of Decision:-5.5.2022

Parveen ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Krishan K. Chahal, Addl.A.G., Haryana,
assisted by ASI Karnail.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.279 dated 6.10.2018, Police Station Sadar Tohana, District Fatehabad, Haryana, under Sections 379-B, 420, 323, 506, 511 and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion on 21.1.2021, the following order was passed:

“The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that perusal of disclosure statement of Kuldeep would reveal that he has named

the petitioner in respect of some different occurrence which took place 04 months prior to this occurrence in which instances of exchange of ATM cards and debiting of the amount of Rs.70,000/- and Rs.60,000/- have been alleged. No FIR in this context has come to fore according to the information available with the petitioner. If the petitioner was already known to Kuldeep, then there was no occasion for Kuldeep to say that he along with Sunil and one driver went to ATM of Union Bank of India, Bhuna where one young boy was withdrawing the money from the ATM. They went inside the ATM and noted the pin of ATM by standing behind. When the young boy came out from ATM, then all the three snatched his ATM of Sarv Gramin Bank and gave him some different ATM card.

Learned counsel further contends that the petitioner has not been declared as proclaimed person/offender.

Learned State counsel submits that Sunil was nominated on the basis of disclosure statement of Kuldeep and on the basis of disclosure statement of Sunil, petitioner has been nominated. Sunil has been granted regular bail by this Court vide order dated 01.10.2020 in CRM-M No.29843 of 2020.

Notice of motion for 22.03.2021.

Till the next date of hearing, arrest of the petitioner shall remain stayed.”

3. Vide order dated 29.6.2021, the petitioner had been granted interim anticipatory bail and was directed to appear before the SHO/Investigating Officer to join investigation on 04.07.2021 at 11:00 AM and it was directed that in the event of his arrest, he shall be enlarged on interim bail, on his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner was required to abide by the conditions as envisaged under Section 438(2) Cr.P.C.

4. Learned counsel for the petitioner submitted that no loss has been caused to the complainant apart from an amount of Rs.1,000/- and that the petitioner, in any case, has joined investigation.
5. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions issued by this Court on 29.6.2021, the petitioner has since joined investigation and that he is not required for any custodial interrogation.
6. In view of the aforestated position, wherein the petitioner has already joined investigation and is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 29.6.2021 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.

5.5.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No