

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

Sr. No.204

**CRM-M-6624-2022 (O&M)
Date of Decision: 11.03.2022**

Santosh

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Saurabh Dalal, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Ms. Rosi, Advocate
for the complainant.

SANT PARKASH, J. (ORAL)

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

CRM-5541-2022

Prayer in the instant application is for grant of exemption from
filing certified and true typed copies of the impugned order and the FIR.

Application is allowed subject to all just exceptions.

CRM-M-6624-2022

The instant petition has been filed under Section 438 Cr.P.C.
seeking grant of anticipatory bail in case FIR No.531 dated 12.07.2021,
registered under Sections 420 and 406 IPC at P.S. Camp Palwal, Palwal.

In compliance of the order dated 17.02.2022, status report by
way of affidavit of Deputy Superintendent of Police, Palwal, District Palwal
on behalf of respondent-State has been filed and the same is taken on
record.

A perusal of the aforesaid report would reveal that although the petitioner is alleged to have convinced the complainant to give money to his brother Lakhan Prasad, but no money was received by the petitioner himself and there are account statements which show transfer of money to the account of co-accused Lakhan Prasad.

In view of the reply filed on behalf of the State and keeping in view the fact that the only role attributed to the present petitioner is that he convinced the complainant to give money to his brother, the petitioner is granted the concession of anticipatory bail.

However, the petitioner is directed to join the investigation as and when required and in the event of arrest, he shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer, subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) *that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- (ii) *that the petitioner 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 such facts to the Court or to any police officer;*
- (iii) *that the petitioner shall not leave India without the previous permission of the Court.*

Accordingly, the present petition stands allowed.

(SANT PARKASH)
JUDGE

11.03.2022
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No