

252-A IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11327-2021

Date of Decision: 02.03.2022

Surendera Kumar Yadav and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nipun Vashist, Advocate,
for the petitioners.

Mr. Karan Garg, AAG, Haryana.

Mr. Ram Kumar Saini, Advocate,
for the complainant.

(Through Video Conference)

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.237, dated 19.03.2020, under Sections 406, 420, 467, 468, 471, 120-B and 34 of the IPC (Sections 467, 468, 471 and 34 of the IPC deleted later on), registered at Police Station Gurgaon Sadar, District Gurugram, Haryana.

Learned counsel for the petitioners contends that the petitioners have joined the investigation in terms of the order dated 12.03.2021, passed by a co-ordinate Bench of this Court, which is as under:-

“Learned counsel for the petitioners submits that the alleged fraud is of approximately Rs.8 lakhs and that his clients are willing to transfer a plot or to refund the amount in question.

Notice of motion for 9.7.2021.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing

personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.”

Learned State counsel, on instructions from SI Balram, states that in terms of the order of the co-ordinate Bench of this Court reproduced before, the petitioners have joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioners undertakes that petitioners will join investigation and also cooperate with the investigating agency in case they are required for the same in future as well.

In view of the above, the order dated 12.03.2021 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They 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 petitioners are required for the investigation but are not cooperating, they shall be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

02.03.2022

Apurva

(HARSIMRAN SINGH SETHI)

JUDGE

- | | |
|--------------------------------|-----|
| 1. Whether speaking/reasoned : | Yes |
| 2. Whether reportable : | No |