

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

201

CRM M-21145 of 2022

Date of Decision: July 26, 2022

Sunil @ Sonu

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. P.S. Ahluwalia and Mr. Jagat Vir Dhindsa, Advocates
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

VIKAS BAHL, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.749 dated 10.12.2021 registered under Sections 420, 406, 467, 468, 471 and 120 of the Indian Penal Code, 1860 at Police Station Narnaund, District Hisar P.S. Anaj Mandi, District Patiala.

On 17.05.2022 while issuing notice of motion in the present petition, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that neither the petitioner was named in the FIR nor any overt act has been attributed to him. It is further submitted that the petitioner has been implicated solely on the basis of two disclosure statements of co-accused Mausam Singh which are inadmissible in evidence by virtue of Sections 25 and 26 of the Indian Evidence Act, 1872. It is contended that even as per the said disclosure statements, legal report was prepared

by Sh. Pawan Kumar Raparia, Advocate and it was alleged against the present petitioner that the present petitioner was a clerk of another Advocate who was not even made aware about the nature of the documents which were being sent to the said Sh. Pawan Kumar Raparia, Advocate and regarding the same, an amount of Rs.5000/- was also paid to him.

Notice of motion for 26.07.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 17.05.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from SI Asin Khan, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 17.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the

present petition is allowed and the interim order dated 17.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

July 26, 2022
amit rana

(VIKAS BAHL)
JUDGE

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