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

CRM-M-21656-2022

Date of decision : 24.08.2022

Jai Prakash Tandan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Shashi Kumar Yadav, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.171 dated 18.12.2019 registered under Sections 406, 420, 506, 120-B of the Indian Penal Code, 1860 at Police Station Jatusana, District Rewari.

On 19.05.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel has argued that as per complainant, he at the inducement of co-accused deposited money in their account, but the promise of giving handsome return was not fulfilled by the said beneficiaries, therefore, the present case was lodged. According to him, the petitioner has been implicated after a long delay on the basis of the disclosure statement of the said co-accused and as per it, the beneficiaries later on withdrew money from their account and handed over the cash to the petitioner and others. He submits that the petitioner is being implicated on the basis of a comparatively weak nature of evidence, therefore, his

custodial interrogation may not be necessary.

Notice of motion for 04.08.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C

19.05.2022

Sd/- (MANOJ BAJAJ)

JUDGE ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 19.05.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Ram Niwas, 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 19.05.2022 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 19.05.2022 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.

24.08.2022

Pawan

(VIKAS BAHL)
JUDGE

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