

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-21883-2019 (O&M)**

Tanwar Singh ...Petitioner

Versus

State of Haryana ...Respondent

(II) CRM-M-23611-2019 (O&M)

Nand Ram ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision: 08.02.2022**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Gaurav Gupta, Advocate,
for the petitioner/s.Mr. Rahul Mohan, DAG, Haryana,
assisted by ASI Pardeep.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of the aforesaid two petitions filed on behalf of Tanwar Singh and Nand Ram respectively, seeking grant of anticipatory bail in respect of a case registered vide FIR No.0129 dated 02.05.2019 at Police Station Kasola, District Rewari, under Section 420 IPC.
2. The FIR in question was lodged at the instance of Sitaram Sharma, wherein it is alleged that the petitioners had taken an amount of

Rs.7 lakhs from the complainant on the pretext of getting complainant's son admitted in MBBS course.

3. At the time of issuance of notice of motion in CRM-M-21883-2019, the following order was passed on 14.05.2019:

“Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner(s) in case FIR No. 129 dated 02.05.2019, registered under Section(s) 420 IPC at Police Station Kasola, District Rewari.

Learned counsel for the petitioner contended that as per investigation having been done by the police and report submitted, complaint made by the complainant-Sita Ram Sharma was found to be false and he had made several complaints against the petitioner and his co-accused. More so, petitioner is ready to join the investigation.

Notice of motion.

On asking of the Court, Mr. Aashish Sanghi, Deputy Advocate General, Haryana accepts notice on behalf of respondent, whereas Mr. Lokesh Sharma, Advocate, who is present in the Court, has put in appearance on behalf of the complainant. A copy of paper-book be provided to them during the course of the day.

List on 31.07.2019.

Meanwhile, petitioner(s) is directed to join the investigation. In the event of arrest, petitioner(s) shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner(s) will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

4. Similar order was passed in the connected case i.e. CRM-M-23611-2019 on 23.05.2019.
5. Learned State counsel upon instructions has submitted that pursuant to interim directions issued by this Court, both the petitioners have joined investigation, but they have not got any

amount recovered. Learned State counsel has, however, informed that none of the petitioner is involved in any other case.

6. Having regard to the aforestated position, wherein both the petitioners have joined investigation and are, otherwise, stated to be having a clean record, both the petitions are accepted and the interim directions issued by this Court vide order dated 14.05.2019 and 23.05.2019 are hereby made absolute subject to the condition that the petitioners 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.
7. A photocopy of this order be placed on the connected file.

(GURVINDER SINGH GILL)
JUDGE

08.02.2022
Vimal

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