

Mohd. Sajid

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJPresent: Mr. Sarfaraj Anjum Mor, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.67 dated 12.02.2020 under Sections 406 and 420 of Indian Penal Code, 1860 registered at Police Station Urban Estate Rohtak, District Rohtak, who apprehends his arrest at the hands of Police.

On 19.08.2021, this Court had passed the following order:-

“Learned counsel contends that as per allegations, the complainant was cheated of Rs.26,000/- deposited for online purchase of vehicle in the account of the seller and the vehicle was never delivered to him. He submits that as per prosecution itself, only the mobile phone belonging to the petitioner was used by the co-accused while talking to the complainant and no

wrongful gain has been made by the petitioner.

Notice of motion for 07.12.2021.

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.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by Inspector Kuldeep Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 19.08.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

08.03.2022

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No