

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.30979 of 2022 (O&M)
Date of decision : 13.12.2022

Suresh Tyagi

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Suresh Pal, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

PANKAJ JAIN, J. (ORAL)

The petitioner has prayed for grant of pre-arrest bail in FIR No.384 dated 30.10.2021 registered under Sections 420/467/468/471/201 & 120-B IPC, at Police Station Arya Nagar, Rohtak.

On 14.09.2022 the following order was passed:-

“Apprehending his arrest in FIR No.384 dated 30.10.2021, registered under Sections 420, 467, 468, 471, 201 & 120-B of the IPC at Police Station Arya Nagar, District Rohtak, petitioner seeks pre-arrest bail.

Reply dated 12.09.2022 by way of affidavit of Vivek Kundu, HPS, Deputy Superintendent of Police, Rohtak on behalf of State has been filed. The same is taken on record.

Counsel for the petitioner inter-alia contends that the petitioner was neither named in FIR nor any overt act has been attributed to him. He has been nominated on the disclosure made by Gaurav and Deepak, co-accused. Both Gaurav and Deepak in their disclosure stated that it is the petitioner namely Suresh Tyagi who acted as mediator between them. Counsel thus submits that it is a case wherein cheque was first cloned and thereafter presented by one Joginder Balhara.

During investigation it was found that the cheque had exchanged hands 10-12 times. Petitioner is neither the one who cloned

the cheque nor is the one who participated in the handing over of the cheque, apart from the allegation levelled by Gaurav and Deepak that he facilitated change of hands.

Adjourned to 13.12.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C. ”

Today, learned State counsel, on instructions from ASI Sandeep, has stated that pursuant to the order dated 14.09.2022, the petitioner has joined investigation and is no longer required for custodial interrogation.

Apart from that it needs to be noticed that the petitioner was nominated on the disclosure made by Gaurav and Deepak and even as per their statements petitioner acted as mediator between them and has not been attributed any role with respect to cloning of the cheque.

In view of above, the interim order dated 14.09.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

This petition stands disposed off.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

**(PANKAJ JAIN)
JUDGE**

13.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No