

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-33528-2022

Date of decision : 16.11.2022

Sunil Singh Shekhawat

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Deepak Sethi, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

Mr. S.N.Pillania, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.0219 dated 26.04.2022 registered under Sections 120-B, 406, 420, 465 IPC (Sections 467, 468, 471 IPC added later on) at Police Station Thanesar City, District Kurukshetra, Haryana.

On 01.08.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“The petitioner has approached this Court under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0219 dated 26.04.2022 under Sections 120-B, 406, 420, 465 of the Indian Penal Code, 1860 (the offences under Sections 467, 468, 471 IPC were added later on), registered at Police Station Thanesar City, District Kurukshetra.

Learned counsel appearing on behalf of the petitioner inter alia contends that the petitioner has only introduced the main

accused Deepak Kumar with the complainant and he is not a beneficiary in the said transaction.

Notice of motion.

Mr. Ashish Yadav, Addl. A.G., Haryana, who is present in the Court accepts notice on behalf of the respondent-State.

Mr. S.N. Pillania, Advocate, appears and accepts notice on behalf of the complainant and files his Vakalatnama, which is taken on record.

To come up for further consideration on 10.08.2022.

To be heard along with CRM-M-26985-2022 (Sumit Kumar Versus State of Haryana).

Response, status report, if any, be filed on or before the next date of hearing.

August 01, 2022

*(VINOD S. BHARDWAJ)
JUDGE ”*

On 10.08.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel appearing on behalf of the petitioner contends that the petitioner is alleged to have only introduced the complainant to the main accused Deepak and had shown the land. He was not aware of the remaining transactions amongst the parties and that he got a commission of Rs.31,500/-. He contends that he is ready and willing to repay the said amount within a period of 10 days and shall deposit the same with the investigating officer and has no objection to the same being released in favour of the complainant subject to final outcome of the present case.

Adjourned to 20.10.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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 call upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

10th August, 2022

*[VINOD S.BHARDWAJ]
JUDGE ”*

Learned counsel for the petitioner has submitted that in

pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel has submitted that the petitioner has joined investigation and is not required for further investigation. It is further submitted that the petitioner has deposited Rs.31,500/- with the Investigating Officer, who has further given the same to the complainant.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 10.08.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation and the petitioner has given Rs.31,500/- to the Investigating Officer who has further given the same to the complainant, the present petition is allowed and the interim order dated 10.08.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

November 16, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No