

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

207

CRM-M-34498-2020

Date of Decision: 24.02.2022

Yogender Kumar ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Manoj K. Pundir, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Mukesh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.213 dated 29.07.2020 at Police Station Farrukh (Furrukh) Nagar, District Gurugram, under Sections 34/379-B IPC (Sections 394/397/120-B/201 IPC added later on).
2. At the time of issuance of notice of motion 29.10.2020, the following order was passed:

“Learned counsel for the petitioner contends that he is not named in the FIR and is sought to be implicated in the present case on the basis of a disclosure statement allegedly made by co-accused. Notice of motion for 4.3.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when

called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has not disputed the fact that the petitioner has been nominated on the basis of a disclosure statement made by co-accused. Learned State counsel has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner happens to be involved in two more cases, but in the said cases as well he was nominated on the basis of disclosure statements.
4. Having regard to the aforestated position, wherein the petitioner, who has been nominated on the basis of a disclosure statement, is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 29.10.2020 are hereby made absolute subject to the condition that the petitioner 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.

24.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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