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

**CRM-M-43186-2021
Date of Decision: 28.03.2022**

Jitender

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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

Mr. Naveen S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.27 dated 26.05.2021, under Sections 419 & 420 of the IPC, registered at Police Station Cyber Crime, Faridabad.

Learned counsel for the petitioner has submitted that in pursuance of the interim order passed by this Court on 13.10.2021, the petitioner has joined investigation and he is fully cooperating with the investigation process. He further submitted that the name of the petitioner was nominated on the basis of a disclosure statement of the co-accused and he was not the beneficiary in the present transaction and even otherwise also the entire case is based upon the documentary evidence and he has, during the course of investigation, supplied all the documents to the Police. He also submitted that the present case is Magistrate triable case and since the

petitioner has joined the investigation, the interim bail granted to the petitioner may be confirmed.

On the other hand, Mr. Naveen S. Panwar, learned Deputy Advocate General, Haryana has stated that although the petitioner has joined the investigation in pursuance of the order passed by this Court but he has not cooperated to the extent that an amount of Rs.50,000/- was credited in his name but the same has not been recovered as yet.

I have heard the learned counsel for the parties.

In pursuance of the order passed by this Court, the petitioner has joined the investigation and his name was nominated on the basis of a disclosure statement of the co-accused. The mere fact that the amount has not been recovered cannot become a ground to disentitle the petitioner for the grant of anticipatory bail. On a specific query being asked to the learned counsel for the petitioner and the State counsel with regard to the antecedents of the petitioner, they have stated that the petitioner is not involved in any other case.

Therefore, considering the totality and circumstances of the present case, this Court deems it fit and proper to allow the present petition, consequently, the order dated 13.10.2021, whereby the petitioner was granted interim bail, is hereby made absolute.

28.03.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |