

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M No. 38777 of 2022(O&M)
Date of decision :08.12.2022

Sudhir Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sukhdeep Singh, Advocate for the petitioner.
Mr. Praveen Bhadu, AAG, Haryana.
Mr. Sahil Goyal, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.143 dated 17.06.2022 registered under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code, 1860 at Police Station New Colony, Gurugram.

On 30.08.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the present dispute has civil trappings and no details of the agreement to sell have been mentioned in the FIR. It is submitted that the petitioner and the complainant had worked together for some time and then had parted their ways amicably and the complainant had executed affidavit dated 11.02.2022 in which he stated that there is nothing due from the petitioner. It is further submitted that the petitioner has not signed any agreement to sell and is even ready to give his specimen signature for comparison.

Notice of motion.

On advance notice, Mr.Dhruv Sihag, AAG, Haryana, appears

and accepts notice on behalf of the respondent-State.

Adjourned to 15.09.2022.

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

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 30.08.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ESI Naresh Kumar, has submitted that the petitioner has joined the investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 30.08.2022 and also the fact that the petitioner has joined the investigation, the present petition is allowed and the interim order dated 30.08.2022 is ordered to be made absolute.

However, 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 application.

Pending application(s) stands disposed of.

08.12.2022

Rajeev (rvs)

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No