

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(213)

CRM-M- 40841-2022

Date of decision: - 29.11.2022

Munish

....Petitioner

Versus

State of Haryana and Another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Vikas, Advocate for  
Mr. Partap Singh, Advocate,  
for the petitioner.

Mr. Praveen Bhadu, Aag, Haryana.

Mr. Rajender Kumar, Advocate,  
for complainant/respondent No.2.

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VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.182 dated 05.03.2022, under Sections 406 and 420 IPC, at Police Station Krishna Gate, Thanesar, Kurukshetra, Haryana.

On 13.09.2022, this Court was pleased to pass the following order:-

*“Inter alia contends that in the present case the petitioner has been falsely implicated and the dispute has civil trappings and at any rate even as per the affidavit dated 27.08.2022 which has been executed by the complainant Kuldeep Singh, it is clear that*

*only the amount of Rs.3 lacs had been given to the present petitioner, which had already been received by the said Kuldeep Singh and the said Kuldeep Singh had specifically stated that the petitioner has nothing to do with the remaining amount of Rs.22 lacs.*

*Notice of motion for 29.11.2022.*

*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.*

*It would be open to the complainant to place on record the relevant documents to show that the petitioner is not entitled to grant of anticipatory bail.*

**(VIKAS BAHL)**  
**JUDGE**

***September 13, 2022"***

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation and is not required for further investigation

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid order dated 13.09.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 13.09.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final

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.

November 29, 2022  
naresh.k

( VIKAS BAHL )  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |