

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

CRM-M-49298-2021 (O&M)

Date of decision: 07.09.2022

Swami Dhaneshwar Giri @ Bhim Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Anil Kumar Lamdharia, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

Mr. Kartik Yadav, Advocate and
Mr. Himanshu Kalera, Advocate and
Mr. Sandeep Chaprana, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.356 dated 16.10.2021, registered at Police Station Sector 31, Faridabad, under Section 420 IPC.

Learned counsel for the petitioner contends that the petitioner is a Sannyasi (a Hindu religious mendicant) and does worship in Vrindavan; that the complainant is a retired Sub Inspector from Haryana Police, and that the allegations levelled against the petitioner are false and vague. In fact, the petitioner had never promised the complainant to cure his brother of cancer. The complainant was very much aware that the petitioner is a Sannyasi and not a qualified doctor. It is further submitted that in order to save his

reputation, the petitioner has even entered into a compromise with the complainant and has already deposited an amount of Rs.1,30,000/- in the account of the complainant.

Vide order dated 25.11.2021, *ad interim* anticipatory bail was granted to the petitioner.

Learned counsel for the petitioner submits that pursuant to the aforesaid order dated 25.11.2021, the petitioner has joined the investigation twice.

Learned State counsel, on instructions from SI Mahavir, submits that though the petitioner has joined the investigation, yet he is not cooperating in the investigation.

Learned counsel for the complainant submits that despite giving three opportunities, the petitioner has not cooperated with the investigating agency and the petitioner is a very influential person. The petitioner being a Swami has given holy water to the complainant to cure his brother of cancer and for that the complainant had given about Rs. 6,65,000/- to the petitioner.

At this learned counsel for the petitioner further submits that the petitioner has joined the investigation twice and no money was ever handed over by the complainant to the petitioner. Just to save his reputation, the petitioner entered into a compromise with the complainant and has already deposited an amount of Rs. 1,30,000/- in the account of the complainant.

I have heard the learned counsel for the parties.

Since the ground taken by the learned counsel for the complainant is not suffice to cancel the *ad interim* anticipatory bail granted to

the petitioner and the petitioner has joined the investigation, without commenting on the merits of the case, the present petition is allowed and the order dated 25.11.2021 granting *ad interim* anticipatory bail to the petitioner is made absolute, subject to the conditions envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

07.09.2022
Mangal Singh

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