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

CRM-M-52115-2022

Date of Decision: 20.12.2022

SUDHIR KUMAR

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Sukhdeep Singh, Advocate
for the petitioner.

Mr. Amrik Narwal, D.A.G., Haryana.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Section 438 Cr.P.C is for grant of concession of anticipatory bail to the petitioner in case FIR No.295 dated 14.09.2022 registered under Sections 420, 120-B of Indian Penal code, 1860 at Police Station Rajendra Park, Gurugram (Annexure P-1).

On 14.11.2022, the following order was passed by this Court:-

“Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, 1973, is for grant of anticipatory bail to the petitioner, in case FIR No.295 dated 14.09.2022, registered under Sections 420 and 120-B IPC at Police Station Rajendra Park Gurugram (Annexure P-1).

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the FIR in question, on the basis of statements of Pritpal Singh and Sunil Kumar. Petitioner and the complainants were stated to be business partners at one point of time but upon parting of ways, two affidavits (Annexures P-2 and P-3), both dated 11.02.2022 were executed by the complainants, stating therein, that nothing was

due towards them from the petitioner. He further submits that the FIR against the petitioner has been registered with ulterior motive after an inordinate delay, which was not explained. Learned counsel further submits that nothing is to be recovered from the petitioner and he is ready and willing to join investigation.

Notice of motion.

On the asking of the Court, Mr. Amrik Narwal, Deputy Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State and opposes the bail application of the petitioner on the ground that apart from the present FIR, he is also an accused in two more cases bearing FIR No.625 dated 29.10.2012 registered under Sections 406, 420, 467, 468, 471, 506, 120-B IPC at Police Station Gurgaon City, District Gurugram and FIR No.143 dated 17.06.2022 registered under Sections 406, 420, 467, 468 IPC at Police Station New Colony, Gurugram, which were got lodged by the same complainants.

Learned counsel for the petitioner is directed to hand over a complete set of paper book of this case to learned State counsel during the course of the day.

List on 20.12.2022.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the Investigating/Arresting Officer. However, he shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

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

Learned State counsel on instructions from SI Tej Pal has not disputed the aforesaid fact of joining the investigation by the petitioner and submits that his custodial interrogation is not required at this stage.

In view thereof, the present petition is disposed of and the interim order dated 14.11.2022 passed by this Court is made absolute.

20.12.2022

Himani

(HARSH BUNGER)
JUDGE

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