

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

203

CRM-M 9304 of 2023

Date of Decision: 24.05.2023

Gopal Tenguriya

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Sandeep Yadav, Advocate for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J (ORAL)

The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.229, dated 26.06.2020, under Sections 420, 406, 467, 468, 471, 201 IPC, registered at Police Station Bawal, District Rewari.

On 22.02.2023, the following order was passed:-

'Learned counsel for the petitioner states that petitioner was nominated in this case on the basis of disclosure statement of co-accused. There is no financial transaction of any type between the petitioner and the complainant. The co-accused Himanshu Sharma has already been granted regular bail vide order dated 01.07.2021 (Annexure P-4) passed by the Co-ordinate Bench of this Court. The co-accused Chandra Shekhar has also granted regular bail vide order dated 19.07.2021 (Annexure P-5) passed by the learned Additional District and Sessions Judge, Rewari, on the ground that the matter had been compromised and a sum of Rs.12,53,500/- had already been received by the complainant. In the FIR only said amount is mentioned. No recovery is to be effected from the petitioner. The petitioner is not involved in any other case. He submits that the petitioner is willing and ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Karan Sharma, DAG, Haryana, accepts, notice on behalf of respondent-State. A copy of the paper book be supplied to him during the course of the day.

Adjourned to 24.05.2023.

Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.'

Learned State counsel, on instructions from SI Krishan Kumar, 395/Palwal, has already joined the investigation and he is not required for any custodial interrogation.

In view of the above, the order dated 22.02.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by all the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

(GURBIR SINGH)
JUDGE

24.05.2023

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