

2023:PHHC:076498

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

CRM-M-10341-2023

Date of Decision: 25.05.2023

Upender Maheshwari

..... Petitioner

Versus

State of Haryana & another

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Deepam, Ragav, Advocate, for the petitioner.
Mr. B.S. Virk, Sr. Deputy Advocate General, Haryana.
Mr. Lohit Vimal, Advocate for
for Mr. Amit Thakur, Advocate for respondent No.2.

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.278 dated 11.11.2022 registered under Sections 420, 467, 468, 471, 406, 419 and 120-B IPC at Police Station New Colony, District Gurugram.

By virtue of the order dated 27.02.2023, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation. He reiterated his arguments that there is a civil dispute pending between the parties. He has submitted that the petitioner has duly complied with the terms and conditions of the interim bail granted to him and thus, the interim order may kindly be made absolute.

Status Report by way of an affidavit of Manoj Kumar, HPS, Assistant Commissioner of Police, Udyog, Gurugram dated 24.05.2023 filed in Court is taken on record.

Reply on behalf of respondent No.2 dated 25.05.2023, filed in Court, is also taken on record.

Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner. He submits that in the facts and circumstances of the case, the petitioner does not deserve the concession of anticipatory bail.

Learned State counsel, on instructions from ASI Rajinder Singh, has submitted that the petitioner has joined the investigation and he is no more required for further investigation.

After hearing learned counsel for the parties and perusing the record, it is affirmed that the petitioner has joined the investigation. This Court would not comment on the merits of the case. The case needs thorough trial and thus, the order dated 27.02.2023 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

25.05.2023
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No