

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

**CRM-M-22452-2022 (O&M)
Date of Decision: 15.02.2023**

NEERAJ KUMAR

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Nandan Jindal, Advocate for the petitioner.
Mr. Ranvir Singh Arya, Addl. AG Haryana.
Mr. Balsher Singh, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 20 dated 21.01.2022 under Sections 406/417/420/120-B IPC (Sections 467/468/471 IPC added later on), registered at Police Station Ellenabad, District Sirsa.

On 01.06.2022, the Co-ordinate Bench of this Court had passed the following order:

“Status report has been filed by DSP, Ellenabad which is taken on record and a copy of the same has been supplied to learned counsel for the petitioner.

It has been submitted by the learned Sr. Counsel that it is a case where even as per the affidavit filed by the State the name of the petitioner was nominated on the basis of a disclosure statement made by co-accused. He submitted that the main accused who was earlier arrested, namely, Dhananjay made disclosure statements qua other persons, namely, Mohd. Vikas, Deepak Kumar, Pooja, Arun and Ankit and he did not name the petitioner and it was thereafter then another disclosure statement was recorded by the police and there the name of the petitioner was mentioned. The learned Sr. counsel submitted that the disclosure statement made by a co-accused is not admissible in evidence per-se and has submitted that the petitioner has clean antecedents and is not involved in any other case. He further submitted that even as per the affidavit filed by the State and the FIR itself, no amount has been transferred in the name of the petitioner and

the petitioner was never the beneficiary of any amount. He has submitted on instructions that the petitioner is ready and willing to join the investigation as and when called by the police and also undertakes to fully cooperate with the investigation process.

In view of the above, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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.

Adjourned to 11.10.2022.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation. Furthermore, an amicable settlement has also been effected and the petition for quashing the FIR on the basis of compromise bearing CRM-M-1092-2023 has also been instituted.

Learned State counsel, on instructions from SI Rajbir, submits that the petitioner has joined the investigation and his custodial interrogation is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.06.2022 is made absolute.

15.02.2023

Janki

(VIVEK PURI)
JUDGE

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