

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

206

CRM-M-25156-2022

Date of decision: 23.08.2023

Wajid Malik

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Jaivir Singh Chandail, Advocate, for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

AMAN CHAUDHARY. J.

1. On 07.07.2022, this Court had passed the following order:-

1. The petitioner is directed to forthwith hand over all the electronic gadgets as well as the computer hardware(s) to the investigating officer concerned.

2. After the afore being done, the investigating officer concerned, shall report to this Court whether the soft copies of purportedly forged e-way bills, and, of purportedly forged vouchers are existing therein, and, shall also report whether they have been deleted therefrom. Moreover, subject to the meteing of the afore co-operation by the petitioner, the investigating officer concerned, in the event of his taking to arrest the petitioner, may not arrest him. However, subject to the bail applicant-petitioner furnishing personal and surety bonds in the sum of Rs. 2,00,000/- each, to the satisfaction of the arresting officer, and, with a further condition, as submitted by the counsel for the petitioner, qua his depositing before the investigating officer concerned, a sum of Rs. 10,00,000/- (Ten lacs). The investigating officer concerned, after receiving the afore sum of Rs. 10 lacs, shall forthwith make its deposit in the malkhana of the police station concerned, and, after his proceeding to institute a report under Section 173 Cr.P.C., shall cause its deposit in the establishment of the learned trial Judge concerned. However, its disbursement shall become regulated by the outcome of the trial, as may become entered into by the learned trial Judge concerned. The bail applicant shall also give

--2--

an undertaking before the arresting officer, that as and when he is summoned through a written Hukamnama, he shall ensure his rendering cooperation to the investigating officer.

3. For an intimation, being made to this Court, by the learned State counsel, with respect to the afore ad interim bail conditions, being complied with, by the petitioner, the matter be listed on 17.8.2022.

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from ASI Vaid Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 07.07.2022 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

23.08.2023

Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No