

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-27088-2023

Date of decision: 11.10.2023

Rakesh Kumar

.....Petitioner

Versus

The State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Rahul Mohan, Sr. DAG, Haryana.

Mr. Nonish Kumar, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.148 dated 22.03.2023 under Sections 406, 420 and 506 of the IPC and Section 24 of the Immigration Act, 1983 registered at Police Station Sector 32-33, Karnal, District Karnal.

2. On 05.07.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner while drawing the attention of this Court to the allegations levelled in the FIR in question which has been annexed as Annexure P-1, submits that a perusal of the same clearly reveals that not even a single penny was transferred into his account by the complainant who had allegedly been lured and assured by the petitioner and his father to send his son to the USA.

He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 05.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Vinod, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 05.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

11.10.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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