

202-B

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

**CRM-M-29452-2022
Date of Decision: 13.02.2023**

Dharmendra Rambhai Vadher

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Babar Bhan, Advocate and
Ms. Alka Sharma, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

HARSH BUNGER J. (ORAL)

The present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in case FIR No.30 dated 18.02.2022 (Annexure P-1), under Sections 120-B, 420, 467, 468 & 471 IPC and Section 61 of the Excise Act, registered at Police Station City Tauru, District Nuh.

On 14.07.2022, the following order was passed by a co-ordinate Bench this Court :-

“The learned counsel for the petitioner has submitted that in the present case, the petitioner has been falsely implicated and he is serving in the Indian Army and because of false implication even his service is at stake. She further submitted that the petitioner was not named in the FIR and is only on the disclosure statement and there is no sufficient material with the investigating agency to connect the

petitioner with the present case.

Notice of motion.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana accepts notice on behalf of the State of Haryana and prays for some time to file affidavit.

Adjourned to 8.12.2022.

Meanwhile, 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.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, petitioner has joined the investigation.

Learned State counsel, on instructions from Assistant Sub Inspector Rajesh Kumar, has not disputed the aforesaid fact of joining the investigation by petitioner and submits that his custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, order dated 14.07.2022, passed by a co-ordinate Bench of this Court, is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioner fails to comply with any of the directions issued above and the bail conditions, the State would be at

liberty to move an application for cancellation of this anticipatory bail

granted to the petitioner.

Present petition is accordingly disposed of.

13.02.2023

Apurva

(HARSH BUNGER)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No