

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

CRM-M No.32528 of 2022

Date of decision: 16th August, 2023

Sandeep Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Archit Kaushik, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

Mr. Shokeen S. Verma, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0273/2022 dated 13.06.2022 under Sections 406, 420, 421, 422, 424, 34A, 120-B IPC registered at Police Station Meham, District Rohtak.

2. On 27.07.2022, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“The learned counsel for the petitioner has submitted that in the present case the petitioner was not named in the FIR and it was on the basis of the disclosure statement of the co-accused his name has been nominated. He submitted that the petitioner has got nothing to do with the controversy in the present case and he is the only brother of another co-accused, namely, Ankit Sharma who has

already been granted interim bail by this Court vide CRM-M-27851-2022 on 4.7.2022. He further submitted that even otherwise also the entire controversy is of civil dispute, if any, between the parties whereas it has been given a criminal flavour. He submitted that after the disclosure statement the only attribution towards the petitioner was that he had taken Rs.5 lacs in cash and the same has been denied by the petitioner.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 27.07.2022, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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 the circumstances, the petition is allowed and the interim order dated 27.07.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

August 16, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No