

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

206

CRM-M-38456-2021
Date of decision: 06.09.2023

Satender Pal

..Petitioner

Versus

State of Haryana

..Respondent

CRM-M-37203-2021

Jitender Pal Sethi

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Rajat Dogra, Advocate
for the petitioner in CRM-M-38456-2021.

Mr. Harish Bhardwaj, Advocate
for the petitioner in CRM-M-37203-2021.

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

Mr. Kartikeya, Advocate for the complainant.

AMAN CHAUDHARY, J.

1. On 09.11.2021, this Court had passed the following orders:-

“Status report dated 28.09.2021 by way of affidavit of Narayan Chand, HPS, Deputy Superintendent of Police, Hisar, along with Annexures R-1 to R-5 already filed on behalf of the respondent-State is taken on record.

Learned counsel for the petitioner submits that earnest and sincere efforts shall be made at the instance of petitioner to repay value of the crops to the concerned persons and he may be allowed to join investigation.

Adjourned to 10.01.2022.

Meanwhile, in the eventuality of arrest of petitioner in the instant case FIR, he shall be enlarged on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting Officer/ Investigating Officer. Petitioner shall join investigation on 16.11.2021 at 10 AM

sharp before the Investigating Officer at Police Station Adampur, District Hisar and on any other subsequent date as informed to him by the Investigating Officer. Petitioner shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit.”

“Status report dated 28.09.2021 by way of affidavit of Narayan Chand, HPS, Deputy Superintendent of Police, Hisar already filed on behalf of the respondent-State is taken on record.

Learned counsel for the petitioner submits that though petitioner is working as Accountant in the firm under the name and style of M/s Banarsi Dass Wazir Chand, earnest and sincere efforts shall be made at the instance of petitioner to assist co-accused Satender Pal to repay value of the crops to the concerned persons and he may be allowed to join investigation.

Adjourned to 10.01.2022.

Meanwhile, in the eventuality of arrest of petitioner in the instant case FIR, he shall be enlarged on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting Officer/ Investigating Officer. Petitioner shall join investigation on 16.11.2021 at 10 AM sharp before the Investigating Officer at Police Station Adampur, District Hisar and on any other subsequent date as informed to him by the Investigating Officer. Petitioner shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit.”

2. Learned counsel submit that in pursuance of the aforementioned orders, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. Learned counsel further submit that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

3. Learned State counsel on instructions from PSI Karan Singh affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are 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 petitions filed by the petitioners are allowed and the orders dated 09.11.2021 granting interim bail to them, are 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 petitioners fail 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 them.
6. Photocopy of this order be placed on the connected file.

06.09.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No