

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

211

CRM-M-33923-2023

Date of decision: 28.08.2023

Gaurav Saini

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Ram Bilas Gupta, Advocate for the petitioner.

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

AMAN CHAUDHARY, J.

1. On 17.07.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.35 dated 15.02.2023, registered under Sections 406 and 420 IPC at Police Station Tigaon, District Faridabad.

Learned counsel contends that the petitioner is the son of main accused-Sampat Saini and has been working as HR Executive for Maestro Intellect since 01.06.2021, Annexure P-2 and had no concern with the business transactions between his father and the complainant. His mother and brother, who were also co-accused, have been granted interim anticipatory bail by this Court vide order dated 03.07.2023, Annexure P-6. The petitioner is not involved in any other case. He is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Jagdish Manchanda, Addl. AG Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 24.07.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as

required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 28.08.2023.”

2. Learned counsel submits that in pursuance of the aforementioned 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 SI Dharambir 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 17.07.2023 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.

28.08.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No