

2023:PHHC:100409

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

204

CRM-M-40914-2022 (O&M)

Date of Decision: 03.08.2023

Neeraj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Arnav Ghai, Advocate
for the petitioner.

Mr. Jagdish Manchanda, Addl. A.G, Haryana.

AMAN CHAUDHARY, J. (Oral)

1. On 25.05.2023, this Court had passed the following order:-

“Learned counsel submits that it is a case of documentary evidence. Petitioner is not involved in any other case. He is ready and willing to join investigation as and when required by the investigating agency.

Learned State counsel affirms the factum of non-involvement of the petitioner in any other case.

Adjourned to 03.08.2023.

Meanwhile, the petitioner is directed to join the investigation on or before 01.06.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of the 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.”

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has not only joined investigation but has 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 ASI Pawan Kumar affirms the factum of joining the investigation by the petitioner and cooperating with the investigation 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 25.05.2023 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 investigation 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.

(AMAN CHAUDHARY)
JUDGE

03.08.2023
pry

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No