

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

CRM-M-42283-2022

DATE OF DECISION:-02.02.2023

Hardeep Singh

...Petitioner.

V.

State of Haryana

...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rakesh Nehra, Sr. Advocate with
Mr. Ankit Yadav, Advocate,
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

HARKESH MANUJA, J. (ORAL)

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No.324 dated 17.08.2022, under Sections 406, 420 and 506 IPC, registered at Police Station Urban Estate, Rohtak, District Rohtak, Haryana.

On 15.09.2022, this Court passed the following order:-

“The petitioner herein seeks the relief of pre-arrest bail in the criminal case arisen out of the FIR bearing No.324 dated 17.08.2022 registered at Police Station Urban Estate, Rohtak, District Rohtak, under Sections 406, 420 and 506 IPC.

Learned Senior counsel for the petitioner, inter-alia, contends that the petitioner had no role to play in the alleged crime and even as per the allegations as levelled in the subject FIR, the complainants had paid the money to the co-accused of the petitioner named Rahul Rose and Aditya Rose and thus, the petitioner is not a beneficiary in any of the alleged transactions and moreover, he is ready to join in the investigation as and when so required.

Notice of motion.

Ms. Ambika Sood, learned Additional Advocate General, Haryana, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice. She seeks some time to file the detailed status-report in the present matter.

Adjourned to 11.01.2023.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from HC Dinesh, submits that in compliance of aforesaid, petitioner has joined the investigation and is no more required for further interrogation. In addition, reference to the contents of para 12 of the status report dated 06.01.2023 filed at the instance respondent-State can also be made to support the same, which is reproduced hereunder:-

That role of the petitioner is that, the petitioner is the head of accused Rahul Rose, Aditya Rose, Jatin, Raj Bala and Pooja and all these accused are relative of each other, but during investigation no bank transaction has been found between any of the complainant and petitioner till date and no complainant provided any document pertaining to money transaction in any mode paid directly or indirectly to the petitioner, therefore, after the arrest of the co-accused, it would be clear that how many amount either cash or through any mode was received by the petitioner from the public at large and from the co-accused. That on dated 20.12.2022, petitioner joined the investigation as per direction passed by Hon'ble High Court in CRM-M No. 42283 of 2022, but the petitioner neither cooperated with the investigation agency nor get recovered any amount orally received by the petitioner and police by obliging the Hon'ble court order released the petitioner on interim bail. It is pertinent to mention here that the petitioner is on ad-interim bail and remaining accused concealed themselves from arrest.”

Having considered the aforesaid facts and circumstances of the case, order dated 15.09.2022 passed by this Court is made absolute.

Disposed of accordingly.

02.02.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No