

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-42280-2023

Date of decision: 01.12.2023

Surender Kumar Swami

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S. Sarwara, Advocate with
Mr. Nitin Sharma, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.123 dated 07.03.2022, registered under Sections 420, 465, 467, 468, 471, 406 IPC and 66 of the IT Act, at Police Station Mahesh Nagar, District Ambala.

2. On 28.08.2023, while noticing the following submissions made by the 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:-

“Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the FIR was lodged against an unknown person on the statement of the complainant; that there is a delay of one week in reporting the matter to the police; that there is no evidence to link the petitioner with the alleged offence; that the petitioner has no concern with the complainant or with the NCERT; that the tender submitted by the complainant has been accepted to supply the scientific articles to the NCERT.”

3. Learned counsel for the petitioner submits that in

compliance of order dated 28.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from Inspector Jagdish, 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 view of the above, the petition is allowed and interim order dated 28.08.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

01.12.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No