

Neutral Citation No.2023:PHHC:157331

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-46300 of 2023 (O&M)

Date of decision : 8.12.2023

...

Roop Chand Verma

.....Petitioner

vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Prince Goyal, Advocate for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

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MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. In case FIR No. 0073 dated 2.3.2023 under Sections 406, 420 of the Indian Penal Code, 1860, (Sections 120-B of the IPC and 65, 66 of the Information Technology Act, 2000 added later on) registered at Police Station Hansi Sadar, District Hisar.

2. Vide order dated 15.9.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia

contends that a perusal of the FIR in question clearly reveals that the petitioner has not been named therein and there is no allegation much less by way of whisper that any amount of money much less Rs.4,30,000/- was ever handed over to him by the complainant. He submits that in the circumstances, it was evidently a case of false implication. It has also been submitted that the alleged fake mobile application was also not uploaded from the mobile phone of the petitioner but from the mobile phone of one Mandeep Singh, who had since been extended the concession of anticipatory bail by this Court vide order dated 20.04.2023. In support, learned counsel has referred to Annexure P-4 wherein the factum of granting anticipatory bail to Mandeep Singh stands reflected.”

3. Learned counsel for the petitioner submits that in compliance of order dated 15.9.2023, the petitioner has joined the investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined the 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 15.9.2023, is made absolute subject to the conditions laid down in Section 438 (2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

08.12.2023
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(MANJARI NEHRU KAUL)
JUDGE

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