

CRM-M-53561-2021

Date of Decision: 19.01.2023

Gagandev Bharti

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Namit Khurana, Advocate, for the petitioner.
Mr. B.S. Virk, Deputy Advocate General, Haryana.
Mr. Sandeep Singh, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

The petitioner has filed the present petition seeking anticipatory bail in a case FIR No.831 dated 11.10.2021 under Sections 420, 467, 468, 471, 506, 120-B IPC, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

By virtue of the order dated 06.12.2022, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and fully cooperated and thus, the interim order may kindly be made absolute. He further submits that third accused, whose interim bail was declined by this Court, had approached Hon'ble Apex Court and has also been granted interim bail.

However, learned counsel for the complainant has submitted that recovery of Rs.8,25,000/- remains to be effected.

Learned State counsel, on instructions from ASI Rajinder Singh, has affirmed the fact that the petitioner has joined the investigation and submitted that he is no more required for further investigation.

After hearing learned counsel for the parties, this Court is of the opinion that simply non-recovery cannot be a ground for rejection of the anticipatory bail to the petitioner.

In view of the above, the order dated 06.12.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

19.01.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No