



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

207

**CRM-M-1687-2024
Date of decision: 06.08.2024**

SUSHIL SHARMA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, 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.923 dated 11.12.2023 under Sections 406 and 420 of the Indian Penal Code, 1860 registered at Police Station City Hansi, District Hissar.

2. On 08.02.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the interim relief to the petitioner and vide order dated 30.04.2024, the concession of interim bail was granted to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the case in hand for allegedly duping the complainant to the tune of more than ₹ 7,50,000/- by fraudulently installing a duplicate solar panel of the agreed company in the house of the complainant. While drawing the attention



of this Court to the FIR annexed as Annexure P-1, learned counsel submits that a bare perusal of the same reveals that the ingredients of Section 420 of the IPC are clearly amiss in the case as the dispute essentially is of a civil nature. He submits even otherwise it was never agreed between the parties that a solar panel of Tata had to be installed as it was a matter of record that the petitioner had been dealing with the solar panels pertaining to “Tata Diamond ST Panel” manufactured by one Soran Group, Hyderabad”.

3. Learned counsel for the petitioner submits that in compliance of order dated 30.04.2024, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions 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 30.04.2024, is made absolute subject to the conditions laid down in Section 438 Cr.P.C.

August 06, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

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