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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-7793-2024 (O&M)
Date of Decision:- 24.07.2024

AMAN KUMAR

Versus

....Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ramnish Puri, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, DAG Haryana.

Mr. Rajesh Kumar Kaushal, Advocate
for the complainant.

SANJIV BERRY, J. (ORAL)

CRM-6844-2024

For the reasons stated in the application, same is allowed.

Exemption is granted.

CRM-M-7793-2024

1. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
270	24.11.2023	406 and 420 IPC	Sector 9, Ambala City



2. Learned counsel for the petitioner has submitted that in compliance to the order dated 14.02.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed. He has placed on record copy of the receipt, whereby he has deposited the amount in compliance of the aforesaid order

3. Learned State counsel, on instructions from ASI Sanjay Kumar has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Learned counsel for the complainant has opposed the petition, however, has not controverted the factum of deposit of amount before the trial Court by the petitioner.

5. Heard.

6. During the course of hearing on 14.02.2024, the following order was passed:-

“At the outset, learned counsel for the petitioner submits that the entire story narrated in the FIR is false and fabricated and, in fact, the complainant and the petitioner are having various business dealings. However, to demonstrate his bona fide, learned counsel for the petitioner submits that an amount of Rs.3,30,000/- approximately (subject to verification by the complainant) which is outstanding towards him and the petitioner has already paid the other victim-Malkit Singh whatever was due to him, who has in turn executed an affidavit dated 01.02.2024 and also submits that the other victim has specifically stated that the complainant had faked his signatures and got his name wrongly registered in the complaint and the FIR. Nonetheless, to demonstrate his bona fide, the petitioner is ready to deposit a sum of Rs.3,30,000/- before the trial Court.

Notice of motion.



Mr. Tanuj Sharma, AAG, Haryana, accepts notice on behalf of the State.

At this stage, Mr. R.K. Kashyap, Advocate has put in appearance on behalf of the complainant and filed his memorandum of appearance, which is taken on record.

In light of the above and without commenting on the merits of the case, the petitioner is directed to join investigation on 20.02.2024 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter and deposit a sum of Rs.3,30,000/- with the trial Court/Ilqa Magistrate within three weeks from today and submit the receipt of the same with the Investigating Officer.

The Investigating Officer shall also made an endeavour to make the parties sit across the table and get the matter resolved and consider the claim of the petitioner against the complainant, if any, so that this litigation could be put to rest, at this stage.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 21.03.2024.

However, it is made clear that this order shall not be construed as parity qua any other co-accused.

Status report be filed by the Investigating Officer on or before the next date of hearing.”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 14.02.2024 passed by this Court, interim bail granted vide order dated 14.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of



written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

24.07.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No