

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10540-2024
Date of decision: 08.04.2024

MANOJPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Ketan Antil, Advocate for the petitioner.
Mr. Vishal Malik, Deputy Advocate General, Haryana.

SANJIV BERRY, J. (ORAL)

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
289	17.09.2023	420, 406, 467, 468 and 471 of IPC	Rai, District Sonapat, Haryana.

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 12.03.2024 passed by this Court, the petitioner has joined the investigation.
3. Learned State counsel informs the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.
4. During the course of hearing on 12.03.2024, following order was passed:

“1. Learned counsel for the petitioner, inter alia,

contends that the petitioner is innocent and has been falsely implicated in this case. He contends that there is nothing on record to suggest that the petitioner had ever produced any fake party for the purpose of the said agreement. He submits that even the alleged beneficiaries of the agreement namely Jitender Khatri and Vikas Pathania have since been exonerated by the Police and the petitioner has no role whatsoever to play nor is he the beneficiary of the alleged transaction. He submits that the petitioner is having no criminal antecedents and is ready to join investigation.

2. Learned State counsel on instructions from ASI Amit Kumar, P.S. Economic Wing, Sonapat submits that no document has been taken on record by the Investigating agency to show that some fake persons were introduced by the petitioner and even the alleged agreement is not on the police file. The Investigating Officer present in Court does not dispute the fact that the aforesaid Jitender Khatri and Vikas Pathania, the alleged beneficiaries of the said agreement, have been exonerated by the Police.

3. Considering these facts, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

4. List on 03.04.2024.”

5. 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 12.03.2024 passed by this Court, interim

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bail granted vide order dated 12.03.2024 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.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

08.04.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |