

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11769-2023
Date of decision: 21.05.2024

AZAD SINGH DAGARPETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. G.S. Bedi, Advocate and
Mr. Anand Vardhan Khanna, Advocate for the petitioner.

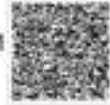
Ms. Gaganpreet Kaur, DAG, Haryana.

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	Section	Police Station
239	18.07.2022	406, 420, 467, 468, 471, 120-B of IPC	Sector 14, District Gurugram, Haryana.

2. Learned counsel for the petitioner submits that in compliance to the order dated 01.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 01.05.2024.
3. Learned State counsel, on instructions from ASI Anil Kumar intimates 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 01.05.2024, following order was passed:

“Heard.

2. *By referring to the chart filed by learned counsel for the petitioner today in the Court, it is, inter alia contended that there had been transactions between accused Manish Kumar Pandey and petitioner since 14.11.2019 till 17.03.2022, wherein different amounts were transferred inter se them. He contends that the petitioner has no role to play in the alleged FIR as he neither gave any assurance to the complainant nor received any amount from the complainant nor it is so alleged in the FIR itself. He submits that the land on which the property in question is constructed was in fact sold by his brother.*

3. *Learned State counsel, on the other hand, while referring to the reply submitted by the State has opposed the grant of bail to the petitioner and contended that the petitioner is involved in other cases, although he is on bail.*

4. *Considering the rival contentions and perusing the record, without commenting on the merits of the case, it is deemed appropriate that the petitioner should join the investigation first before deciding the petition on merits.*

5. *Accordingly, 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.*

6. *List on 21.05.2024. ”*

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 01.05.2024 passed by this Court, interim bail granted vide order dated 01.05.2024 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.

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.

21.05.2024
kanika

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