



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-16338-2024
Date of decision: 20.05.2024

AJRUDDINPetitioner
Versus

STATE OF HARYANA ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : None for the petitioner.
Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. On 04.04.2024, the following order was passed:-

“Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of his being enlarged on anticipatory bail, in case FIR No.56 dated 04.04.2023, under Sections 419 and 420 of the IPC, & under Section 66-D of IT Act, registered at Police Station Cyber Crime (East), Gurugram, District Gurugram.

At the very outset learned counsel for the petitioner submits that the money which has come in the account of the present petitioner, is due to a mistake, and the petitioner is ready and willing to return the said amount to the complainant. Learned counsel for the petitioner further submits that the petitioner has already joined the investigation, and there is nothing to connect the present petitioner with the alleged crime. Learned counsel for the petitioner also submits that the petitioner is not involved in any other criminal case.

Notice of motion.

Mr. Bhupender Singh, DAG, Haryana, waives service of notice on behalf of the respondent-State.

In the meantime, the petitioner is directed to join the investigation, and at the time of joining the investigation, the petitioner shall deposit the entire



amount in dispute with the complainant. The petitioner shall keep on appearing before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bond to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.
Adjourned to 30.04.2024.”

2. Thereupon, again a direction was issued, vide order dated 30.04.2024, to the petitioner, to rejoin the investigation, and to deposit a sum of Rs.44,005/-, before the learned Magistrate concerned, by way of demand draft, drawn in favour of the complainant.
3. Today, the learned State counsel on instructions imparted to him by ASI Vinod, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process, and has also deposited a sum of Rs.44,005/-, before the learned Magistrate concerned, by way of demand draft, in favour of the complainant. Learned State counsel further submits that the petitioner is not required for any further custodial interrogation.
4. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 04.04.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

20.05.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No