



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17902-2024
Date of decision: 17.05.2024

SANDEEP KUMARPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Mandeep Nehra, Advocate for the petitioner.
Mr. Pawan Kumar Jhanda, DAG, Haryana.

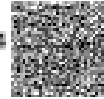
SANJIV BERRY, J. (ORAL)

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
63	17.03.2024	409 of IPC	Farakpur, District Yamuna Nagar

2. Learned counsel for the petitioner has placed on record copy of order dated 15.05.2024 passed by learned Judicial Magistrate Ist Class, Yamuna Nagar in the present case FIR No.63 dated 17.03.2024 under Section 409 of IPC, P.S. Farakpur, whereby he had deposited the amount of Rs.4,03,367/- vide receipt dated 14.05.2024 bearing GRN No.0116647291. He further submits that the petitioner has joined the investigation in terms of the order dated 10.04.2024 passed by this Court.

3. Learned State counsel, on instructions from SI Dal Singh intimates the Court that the petitioner has joined investigation and is



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neither required for further investigation nor for any custodial investigation.

4. During the course of hearing on 10.04.2024, following order was passed:

“Petitioner prays for pre-arrest bail in FIR No.63 dated 17.03.2024 registered under Section 409 of IPC at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner contends that the FIR in the present case has been got registered by the complainant after a long and unexplained delay of about 01 year and 06 months. He further contends that the entire case of the prosecution hinges on documentary evidence, which has been taken into possession by the police. Without admitting his guilt, learned counsel for the petitioner has offered to deposit a sum of Rs. 4,03,367/- with the Area Magistrate within a period of 04 weeks from today, just to show his bonafides.

Notice of motion.

On the asking of Court, Mr. Rajinder Kumar Banku, DAG, Haryana, accepts notice on behalf of the respondent-State.

List on 08.05.2024.

In the meantime, the petitioner is directed to join the investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of arresting/investigating officer subject to the conditions envisaged under Section 438 (2) Cr.P.C.

The petitioner is also directed to desposit a sum of Rs. 4,03,367/- with the trial Court/Area Magistrate/Duty Magistrate within a period of one month from today and the concerned Court is directed to deposit the said amount in some nationalized bank in the shape of FDR fetching maximum rate of interest, subject to the outcome of the trial.”



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 10.04.2024 passed by this Court, interim bail granted vide order dated 10.04.2024 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

17.05.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |