

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-18673-2024
Date of decision: 17.07.2024

KULDEEP SINGH....PETITIONER

Versus

STATE OF HARYANA...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Kanishk Swaroop, Advocate for
Mr. Suvir Sidhu, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Ms. Jasleen Kaur Chhibber, Advocate for
Mr. Ankur Lal, Advocate for the complainant.

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
355	11.10.2023	420 and 120-B of IPC	Sector 65, District Gurugram

- 2.Learned counsel for the petitioner submits that in compliance to the order dated 10.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 10.05.2024.
- 3.Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



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4. During the course of hearing on 10.05.2024, following order was passed:

“Status report dated 08.05.2024 in the form of an affidavit of Commissioner of Police, Gurugram, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Mr. Priyanshu Deewan, Assistant Commissioner of Police, Cyber Crime, Gurugram and Inspector Santosh Kumar, P.S. Sector 65, Gurugram are present along with record.

3. Heard.

4. It is inter alia contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case as he is neither the beneficiary nor signatory to any such document on the basis of which the complainant has got lodged the instant FIR.

5. Learned counsel for the petitioner further submits that petitioner is not having any criminal antecedents and there is no criminal case registered against him and is ready to join the investigation.

6. Per contra, learned State counsel assisted by learned counsel for the complainant while referring to reply have assailed this argument by submitting that the petitioner happens to be the face of the company and has cheated the complainant in connivance with the co-accused.

7. When confronted, the Assistant Commissioner of Police, Cyber Crime, Gurugram present in Court has admitted that there is no amount received by the petitioner in this case nor is there anything to show that he was beneficiary of the transactions.

8. In these circumstances, it is deemed appropriate that the petitioner should join the investigation first before deciding the application on merits, accordingly, the petitioner is directed to join the investigation within seven days from today



and in the event of his arrest, he is ordered to 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.

9. List on 17.07.2024. ”

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 10.05.2024 passed by this Court, interim bail granted vide order dated 10.05.2024 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.
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

17.07.2024

S.Sharma(syr)

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