

CRM-M-20667-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-20667-2024
Date of decision: 11.07.2024

YOGESH DHIMAN @ YOGI
.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER
.....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Raghav Bali, Advocate for
Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.
.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
16	02.02.2024	420, 120-B IPC	Sadar Kotkapura, District Faridkot

2. Learned counsel for the petitioner submits that in compliance to the order dated 23.05.2024, the petitioner has joined the investigation.
3. During the course of hearing on 23.05.2024, following order had been passed: -

Status report dated 15.05.2024 in the form of an affidavit of Deputy Superintendent of Police, Kotkapura, District Faridkot, has been filed. The same



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is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. *Heard.*

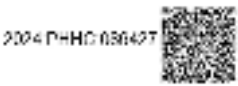
3. *It is inter alia contended by learned counsel for the petitioner that the petitioner has no role in the alleged FIR but being employee of accused Vinay Kariyal, amount of Rs.86,000/- was received in his account from the complainant which he immediately transferred to Vinay Kariyal. To support his contention he has referred to the bank statement (Annexure P-2) of HDFC Bank showing the deposit of Rs.86,000/- in his account on 01.07.2022 and on the same day, debit thereof in favour of Vinay Kariyal.*

4. *This aspect has not been disputed by the learned State counsel, on instructions from ASI Jaswinder Singh, Investigating Officer of the case, and had verified this aspect.*

5. *List on 11.07.2024.*

6. *In the meanwhile, the petitioner is hereby directed to join 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.”*

4. Learned State counsel on instructions from ASI Karamjit informs the Court that the petitioner has joined the investigation and is



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neither required for further investigation nor for any custodial interrogation.

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 23.05.2024 passed by this Court, interim bail granted vide order dated 23.05.2024 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.

11.07.2024
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(SANJIV BERRY)
JUDGE

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