

2024:PHHC:112823



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

204

CRM-M-21789-2024 (O&M)
Date of decision: 30.08.2024

Satish @ Satish Kumar ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 173, dated 25.03.2023, under Sections 420, 467, 468 and 471 of IPC (Section 120-B of IPC added later on) at Police Station Tosham, District Bhiwani.
2. Vide order dated 09.07.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 09.07.2024, passed by this Court, reads as under:

“Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and no money was ever received by the petitioner in his bank account regarding any transactions with regard to any transaction relating to Bhavntar Bharpai Yojna portal. It is further submitted that the petitioner was falsely implicated in the present case on the basis of the

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disclosure statement made by co-accused Sandeep and veracity and relevance of the alleged disclosure statement will be tested during trial and that the petitioner is ready and willing to join investigation with the police. State counsel prays for time to seek instructions as to whether any amount out of the disputed transaction was ever deposited directly in the bank account of the petitioner who was not named in the FIR and later on, named as accused on the basis of the disclosure statement by co-accused/Sandeep.

Now be listed on 30.8.2024.

In the meantime, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C.

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 20.08.2024 and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 09.07.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

30.08.2024

Waseem Ansari

**(MANISHA BATRA)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*