



CRM-M-26012-2024

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-26012-2024  
Date of decision: 09.07.2024

DEVI LAL YOGI

Versus

STATE OF HARYANA

....Petitioner

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Himanshu Joshi, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. S.N. Pillania, Advocate for the complainant.

.....

**SANJIV BERRY, J. (ORAL)**

Reply dated 02.07.2024 in the form of an affidavit of Deputy Superintendent of Police, City Kurukshetra, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. 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                        |
|---------|------------|----------------------------------------------------|---------------------------------------|
| 399     | 13.06.2023 | 406, 420, 506 IPC and 10 and 24 of Immigration Act | Sadar Thanesar, Kurukshetra, Haryana. |

3. Learned counsel for the petitioner submits that in compliance to the order dated 22.05.2024, the petitioner has joined the investigation.

4. During the course of hearing on 22.05.2024, following order had been passed: -



CRM-M-26012-2024

-2-

“2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the aforesaid FIR was registered against the brother of the petitioner but later on, on account of supplementary statement of the complainant, petitioner has been entangled in the aforesaid FIR. He further contends that the petitioner is not having any other criminal antecedents and is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

5. Mr. S.N. Pillania, Advocate, has entered appearance on behalf of the complainant to assist learned State counsel in the matter and filed his memo of appearance, the same is taken on record.

6. Adjourned to 09.07.2024.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. 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.”



CRM-M-26012-2024

-3-

5. Learned State counsel on instructions informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. 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 22.05.2024 passed by this Court, interim bail granted vide order dated 22.05.2024 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.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

09.07.2024  
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(SANJIV BERRY)  
JUDGE

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